

rector of munitions bill; a bill which was specific in its terms; a bill which every Senator could thoroughly understand; a bill which the administration could thoroughly understand; a bill which the entire public of the United States could understand; a bill introduced and reported to the Senate with the same object in view as this bill has, if we are to believe the introducer and supporters of this bill; and yet not even the introducer and supporters of this bill can tell what its field of power is. I am tempted to believe—I am not thoroughly convinced of it—but I am tempted to believe that this bill was introduced on February 6, within a few days of the report of the director of munitions bill, to baffle the issue.

Mr. FALL. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from New Mexico?

Mr. WADSWORTH. I yield.

Mr. FALL. The Senator from New York has just said that anyone whomsoever could without difficulty understand exactly the meaning of the bill to which he has referred, which was reported from the Military Affairs Committee—the director of munitions bill. Is that, in the judgment of the Senator, not the reason that it is impossible to pass it? [Laughter.]

Mr. WADSWORTH. It is a contributory reason, I have no doubt; but I regard it as unfortunate, Mr. President, that there should have been substituted for a bill such as the director of munitions bill, which had the same object in view as has been explained on the floor of the Senate by the Senator from North Carolina, and which is perfectly plain, and which everybody can understand—I regard it as unfortunate that there has been substituted for that a bill which no two men agree upon as to its terms and meaning; and I can not help being impressed with the idea, as I said a few moments ago, that there was a very clever purpose in view when this bill—Senate bill 3771—was introduced. The public attention was to be diverted from the director of munitions bill. Week after week has gone by since that time. Delays have accumulated. Time has been lost and millions of dollars have been spent ineffectively. The Overman bill may meet the situation, but no Senator, nor even the President, has been able to say when, where, or how.

Mr. LODGE. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. WADSWORTH. My time has expired.

Mr. LODGE. I will take my own time and ask the Senator a question. I was going to ask the Senator, in connection with what he was just saying, whether he had not overlooked what is the real purpose of the bill, which is to show that the Senators who have been thinking for themselves had failed to carry their bill, and that the President had carried substantially the same provisions in a bill of his own, thus deriving great personal satisfaction and comfort from it?

Mr. WADSWORTH. I could not answer the question of the Senator from Massachusetts unless I were a mind reader.

The PRESIDING OFFICER. The bill is still before the Senate and in Committee of the Whole and open to amendment.

Mr. SMOOT. Mr. President, about one hour ago I made a statement in relation to the appropriation asked for by the Secretary of the Treasury for the increase in the Aviation Signal Corps for the year 1918. I was mistaken in one particular. I stated that there was an additional appropriation of \$200,000,000 asked for over and above the \$200,000,000 deficit requested. Instead of being \$200,000,000 it was \$250,000,000. The amount I named was \$50,000,000 too small.

In order that the RECORD may be straight in that matter and it may be seen that the \$200,000,000 asked for was a deficit and the \$250,000,000 was for authorized contracts yet to be made, I wish to read into the RECORD the letter of the Secretary of the Treasury, dated March 12, 1918, addressed to the President of the Senate, transmitting the estimate submitted by Benedict Crowell, Acting Secretary of War. The Secretary's letter reads as follows:

THE SECRETARY OF THE TREASURY,
Washington, March 12, 1918.

The PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for the consideration of Congress copy of a communication from the Acting Secretary of War of the 11th instant, submitting a deficiency estimate of appropriation in the sum of \$200,000,000, required by the Signal Corps of the Army for "Increase in aviation, Signal Corps, 1918," being additional to the appropriation of \$640,000,000 made for this object in public act No. 29, July 24, 1917. In addition to the appropriation of \$200,000,000 requested, the estimate also provides for contract authorizations not to exceed \$250,000,000. The necessity for the appropriation and legislation asked and the reasons for their submission at this time are fully set forth in the letters of the Acting Secretary of War and the Chief Signal Officer herewith.

Respectfully,

W. G. MCADOO, Secretary.

The letter of the Acting Secretary of War, dated March 11, 1918, reads as follows:

WAR DEPARTMENT,
Washington, March 11, 1918.

SIR: I have the honor to forward herewith, for transmission to Congress, a deficiency estimate for an additional appropriation of \$200,000,000 required by the Signal Corps to cover deficiencies existing in the special appropriation of \$640,000,000 made by Congress in the act approved July 24, 1917, to temporarily increase the Signal Corps of the Army and to purchase, manufacture, maintain, repair, and operate airplanes, and for other purposes therein specified.

In addition to the cash appropriation of \$200,000,000 requested, the estimate provides for contract authorizations not to exceed \$250,000,000. The Chief Signal Officer states that it will be necessary to incur obligations to that extent before the close of the current fiscal year in excess of the cash appropriations.

It is requested that this estimate be forwarded to Congress at the earliest possible date for consideration in connection with the pending urgent deficiency bill.

Very respectfully,

BENEDICT CROWELL,
Acting Secretary of War.

The SECRETARY OF THE TREASURY.

Mr. President, that is the estimate I had reference to in the statement based upon the question asked by the Senator from New York.

Now, Mr. President, I ask the Senator from North Carolina, having the bill in charge, if he will not agree to adjourn at this time, because it is quite evident that we can not get a vote to-day; many Senators have already left the Chamber, and I think there will be no time conserved in holding the Senate in session during the remaining 20 minutes.

Mr. OVERMAN. The order of the Senate was to adjourn at half past 1 in order that Senators and the employees of the Senate might join the parade. I suppose that most Senators now here would like to have lunch, and it is very evident that we shall have no vote to-day. Therefore I ask unanimous consent that the Senate now take a recess until to-morrow at 12 o'clock.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

There being no objection, the Senate (at 1 o'clock and 10 minutes p. m., Friday, April 26, 1918) took a recess until to-morrow, Saturday, April 27, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, April 26, 1918.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, Heavenly Father, our wisdom, our strength, our courage, our fortitude, pour out upon us, we beseech Thee, abundantly of these gifts and teach us anew the old truth, "United, we stand; divided, we fall."

This day has been set apart by the President of the United States as Liberty Bond Day; and as our young men have responded bravely to give their strength, their courage, their fortitude, and even life, for the liberty we have inherited from our fathers, help us as a people to respond cheerfully, generously, bravely, to the call for means to uphold and sustain our Army and Navy, by giving of our substance to the call of the Nation, that we may stand behind the men behind the guns in this hour of peril. Money, life itself, is nothing without liberty.

Hear us, O Lord, and grant our petition in His Name. Amen.

The Journal of the proceedings of yesterday was read and approved.

NONCOMBATANT COMMISSIONED OFFICERS.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter addressed by the Democratic floor leader of the House, Mr. KITCHIN, to a citizen of Ohio, who addressed him a letter on the subject, concerning the desecration of the wearing of a soldier's uniform by a slacker.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD in the manner indicated.

Mr. BUTLER. Mr. Speaker, this letter which I would like to insert appeared in the Cleveland Plain Dealer on April 20 of this year.

The SPEAKER. Is there objection?

There was no objection.

STATUE OF FREDERICK THE GREAT.

Mr. SHERWOOD. Mr. Speaker, on the 26th of February, 1909, I made a speech on this floor against placing a statue of Frederick the Great in this National Capital, for which I was criticized at the time. I ask unanimous consent to print in the RECORD an extract from that speech, about half a column.

The SPEAKER. The gentleman from Ohio asks unanimous consent to insert in the Record an extract from the speech he made concerning the statue of Frederick the Great. Is there objection?

Mr. ROBBINS. Mr. Speaker, reserving the right to object, would not the gentleman be content to publish also the fact that that statue has been removed from in front of the War College and packed away as old junk in the basement of the War College?

Mr. SHERWOOD. My only object in printing this speech now is that it now appears to be very timely and popular, though at the time I was criticized. It is just a short extract.

Mr. ROBBINS. I have no objection.

The SPEAKER. Of course, the gentleman's remark about the junk in the basement of the War College will appear in the Record. Is there objection?

There was no objection.

The matter referred to is as follows:

[From CONGRESSIONAL RECORD, dated Feb. 26, 1909, p. 3268.]

"The recent dedication of a statue of Frederick the Great in our National Capital indicates the flavor and character of our patriotic ideals. Here let me ask what did Frederick the Great stand for, and what does this statue stand for now? Just what Alexander the Great, Peter the Great, Julius Caesar, and Napoleon Bonaparte stood for—the crushing out of weaker peoples by the cruel sword in order to build new empires upon their ruins, resting upon bayonets.

"And what did Frederick the Great achieve in his bloody career of empire building that should call for his statue in the Capital of a Republic? It is true he fought great battles and won great victories, but it is also true that in all the 50 battles he fought not one was for the benefit of a single human being, save the imperial head of the Hohenzollern dynasty. When the great Frederick fought the Russians at Zarndorf in August, 1758, he slaughtered 19,000 Russians and left 11,000 Prussians dead upon that awful field. He gave the order that no quarter be given the surrendered Russians, and all were put to the sword.

"It would be fitting and proper that a monument be erected to the German soldiers who fought in our wars, but here is no place for an empire builder who shed the blood of innocent thousands to perpetuate the rule of monarchical heredity.

"After setting up the statue of the great Frederick we can not refuse a place to one of Russia's czars, and France should ask for a statue of Louis XVI, for he sent an army and a navy to fight our battles for us and made the birth of this Republic possible.

"And surely Great Britain, owing to our recent covert alliance, has a right to demand a statue of one of her seventeenth century conquering kings. And should King Edward the Seventh select George the Third, an eighteenth century product, how would that figure look to the patriotic student of American history alongside of George Washington and Benjamin Franklin, Patrick Henry, and old John Adams? And after the monarchs of the Old World have all been represented here there will be no room in the Rotunda for that plain-faced citizen, in citizen's clothes—Abraham Lincoln—now standing under the great Dome. And Thomas Jefferson will have to be pushed aside to make room for some gilded statue with a crown, standing as a silent orator of kingly heredity under the heroic figure of the Goddess of Liberty.

"I hold that this National House of Representatives, the only representative body of the American people, and for the American people, should protest against the tendency so apparent during the administration of Theodore Roosevelt to cast aside the patriotic teachings of the fathers of the Republic and take on royal forms and symbols. This Capitol is all ours, and it should be kept as liberty's central home. It should never be desecrated with the statues of imperial conquerors or kings or emperors or czars, but forever consecrated to the ever-prescent spirit of democracy. We should keep the air of freedom's Capitol wholesome and pure, to illustrate and typify the heroic spirit that characterized the founders of the Republic—Washington and Jefferson and the illustrious peace-loving patriots of 137 years ago."

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 9832. An act to authorize the incorporated town of Seward, Alaska, to issue bonds in any sum not exceeding \$25,000 for the purpose of constructing dikes, flumes, and other works to confine the waters of Lowell Creek for the protection of said town.

AUGUST GEILFUSS.

Mr. NICHOLLS of South Carolina. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. NICHOLLS of South Carolina. Mr. Speaker, recently an editorial was printed in the Spartanburg Journal, of Spartanburg, S. C., reflecting very much, as I considered, upon Senator TILLMAN and myself. The facts, briefly stated, are as follows: A very prominent citizen of my city was charged, or about to be charged, with a serious offense. He is an American citizen, was born here, and his parents were born here. It so happened that his grandparents, whom he never saw, were born in Germany. He came to us and presented the facts and we asked the district attorney to withhold a warrant arresting the man until a thorough investigation was made. We have been very much criticized on account of our action in asking a Government official to see that a thorough investigation was made before an injustice was done. I ask unanimous consent to publish in the Record the editorial referred to and also my answer to that editorial.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to extend his remarks in the Record by printing the editorial referred to and also his answer. Is there objection?

There was no objection.

The article and letter referred to are as follows:

[From the Spartanburg Journal.]

ANOTHER CHAPTER.

Congressman SAM J. NICHOLLS addresses a very able communication to the Spartanburg Herald this morning on the subject of the Geilfuss matter, and Mr. NICHOLLS puts up a very able defense for himself and for Mr. Geilfuss. Before Mr. NICHOLLS went to Congress he practiced criminal law in Spartanburg, and it is his business to put up defenses for accused people.

The Congressman has not addressed any communication to the Spartanburg Journal, and possibly we are making a mistake when we have anything to say on the subject, but this is a matter in which the public is so deeply interested that we feel we have a perfect right to discuss it. In so doing we would not question the patriotism of SAM NICHOLLS for one minute, because all of us in Spartanburg and practically everyone in South Carolina knows that there is no more patriotic spirit in Washington than SAM NICHOLLS, but we do believe that he has made a mistake in this instance, and we believe that he will eventually realize it. It was an unfortunate thing for SAM NICHOLLS and for the county that our Congressman had anything at all to do with this matter.

There are one or two things about this matter that we would like for some one to explain to us.

Why did Mr. Geilfuss, if he knew that he had done nothing wrong and was convinced that he had not committed any crime against the laws of the United States, see fit to go to Washington and ask Mr. TILLMAN and Mr. NICHOLLS to intercede for him. If he had done nothing, if he knew that he could not be convicted, why was it necessary for him to make the trip and lay so many facts before the officials?

Why could not this statement and investigation wait until a warrant was issued for his arrest and the case came on for a hearing?

Why did he have to take with him to Washington two supporters to substantiate what he said about the matter?

What right has the Representative of the people to issue orders to a Federal official that he must not arrest a man until after investigation has taken place? Why not arrest him and then let the investigation take place?

We honestly think that the charge against Mr. Geilfuss was a trumped-up affair and of little importance one way or the other, and if he had been tried and convicted of receiving goods stolen from the United States Government it would have amounted to little, but to save our life we can not see where this fact excuses Senator TILLMAN, Congressman NICHOLLS, and District Attorney Thurmond. Mr. NICHOLLS has been and is an able Representative in Congress for this district, but this is one time when our Congressman made a mistake, and if he addressed fifty letters to Spartanburg newspapers he will never be able to persuade the Spartanburg public that he was in the right.

WASHINGTON, D. C., April 22, 1918.

EDITOR THE SPARTANBURG HERALD:

I am just in receipt of your paper of Saturday, April 20, and have read with a great deal of interest, on the first page, column 1, the article headed "High officials interested in Spartanburg case; some facts involved in rumors about August Geilfuss's connection with case at Wadsworth. Senator TILLMAN sends telegram. Conviction of soldiers by court-martial threatened to involve local baker in violation of Federal law." I do not know who wrote this article, and I do not care, but I do know that from the facts which were presented to me in the matter it is absolutely unfair to Senator TILLMAN, Mr. Geilfuss, and myself. I do not care to get into a newspaper controversy, and am not trying to do so in this case. However, I believe, in justice to Senator TILLMAN, Mr. Geilfuss, and myself, some reply to the article and also to the editorial relative to the article should be made.

The facts that have been disclosed to me are as follows: Mr. W. M. Floyd, Mr. S. L. Rigby, and Mr. A. Geilfuss came to my office some days ago and told me that Mr. Geilfuss was expecting to be arrested on a charge of receiving stolen goods, the property of the United States Government. They also told me that they believed that certain people

in Spartanburg were trying to persecute Mr. Gelfuss and to injure his business because of the fact that they claimed he was pro-German. I had some testimonials from the chamber of commerce and other influential bodies of high standing in Spartanburg some months ago that Mr. Gelfuss was a loyal American citizen. These testimonials were published in the papers, and at the same time I wrote a letter to the papers stating that I believed, having known Mr. Gelfuss for years, that he was as loyal as any man in the country to his Government. These gentlemen impressed me with the fact that somebody was trying to make capital out of the fact that Mr. Gelfuss was a German. It is true that Mr. Gelfuss is of German origin. I understand his grandparents were born in Germany, but his parents have lived in Charleston for years and he was born there, and I would trust him under any conditions to be loyal to this country. I do not think that anyone can question my loyalty, for the only brother that I had has been killed in France by the slaves of the Kaiser, and, aside from my love of country, my love of him would have made me hate the Kaiser and the German Army. I not only received information from the gentlemen that I have mentioned, but I also received a long letter from Hon. R. K. Carson, of Spartanburg, a man for whom I have the highest respect, and I would believe anything that he would tell me, who was disinterested in the case so far as Mr. Gelfuss was concerned, but who had attended the trial of the soldiers charged with stealing the property, giving me the facts as to what took place and urging that, if possible, I see that justice be done.

With all these facts before me, I carried Mr. Gelfuss, Mr. Floyd, and Mr. Rigby to Senator TILLMAN's office, and we went over the matter thoroughly, they stating to him the circumstances just as they existed, which were about as follows, from Mr. Carson's letter and from the statements of these three gentlemen:

Mr. Gelfuss is a great lover of dogs. He has at this time 8 or 10 registered collies, and he has been very successful with his dogs at the different dog shows throughout the country in winning prizes. When Camp Wadsworth was established at Spartanburg, Mr. Gelfuss threw his home open to many of the soldiers who were there and has entertained them in true southern fashion. In talking with some of the soldiers, they told him that there were a great many bones at the camp, which were left after the meat had been cut off for the use of the soldiers, and that they thought he could obtain the bones for the purpose of feeding them to his dogs. Mr. Gelfuss offered to buy the bones, but, as they were absolutely useless to the Government, he was told by those in authority that he was welcome to take them free of charge, and for some months the Army trucks and occasionally Mr. Gelfuss's own trucks had been carrying sacks of bones to his house to be fed to his dogs. If there was any meat left on the bones that was fit to use in feeding the Army, Mr. Gelfuss had no knowledge of it whatever. The sacks were simply brought from the camp and the bones given to his dogs. On the occasion in question, when the military police seized and searched the sack which Mr. Gelfuss had carried in his automobile, and which was thrown into the automobile without ever having been opened by him, they found 15 or 20 pounds of bones, together with two cans of condensed milk, two cans of peaches, and one can of pineapple. Of course Mr. Gelfuss does not know how these cans got in the sack. And, of course, I do not know. The only solution of the proposition that I can give is that some soldier had put them in the sack, intending to take them out afterwards for his own use before the sack was delivered to Mr. Gelfuss.

It is preposterous, in my judgment, to think that a man like Mr. Gelfuss, who has subscribed to every liberty-bond issue—in fact, taking out \$2,000 in the last one—and a man shipping bread into five or six States, with the biggest bakery south of Washington, and who ships canned goods in by the carload, would be guilty of receiving about a dollar's worth of stolen goods.

These are the facts, briefly, which were stated to me by Mr. Carson, Mr. Floyd, Mr. Rigby, and Mr. Gelfuss. It was further stated to me that Maj. Shanton, who used to be one of Buffalo Bill's broncho busters, was in behind the matter and was seeking notoriety at the expense of one of the most prominent citizens of my city.

After learning these facts from Mr. Carson, Mr. Floyd, Mr. Rigby, and Mr. Gelfuss I became convinced that a great injustice was about to be done Mr. Gelfuss. I have known him for years, and the people of Spartanburg know that up to this time no man has ever questioned his honesty. In view of his past life and in view of the preposterous charge now made against him of stealing \$26 worth of canned goods, I was fully convinced that the alleged prosecution was due entirely to the fact that Mr. Gelfuss was of German descent and had been charged by some people with being pro-German.

If Mr. Gelfuss has been guilty at any time of uttering a disloyal statement or entertaining a disloyal sentiment, I have never heard about it, and, on the contrary, in my presence, he has ever asserted his patriotic devotion to his country. My friends have always advised me that he had the same attitude when with them. If he has been guilty of any disloyalty to his country, he should be prosecuted for it, and, if guilty of it, I would be the last man to defend him. If he has been guilty of nothing that would justify any man in prosecuting him for disloyalty, they had no right to persecute him by charging him with petty larceny in stealing \$26 worth of canned goods. I thought this an outrage and, in fairness, believed that it should be carefully investigated by the authorities before any warrant was issued against him. It is well enough to say that the issuance of a warrant does not mean conviction. But if you, Mr. Editor, were charged with stealing \$26 worth of canned goods, from my knowledge of your past life, I would certainly intervene with the authorities that no warrant be issued until a careful investigation had been made; because I know that even though a jury afterwards declared you innocent, the fact that you were arrested for larceny would be heralded to the world, and the record would remain to embarrass you regardless of your guilt or innocence. In like manner Mr. Gelfuss, who does business in six States, would have his business injured, and the reputation that he has built up by years of hard work and honest living would be impaired, if not destroyed, in the twinkling of an eye. On the records there would be nothing to show that the prosecution was due merely to the fact that he had the misfortune to be born of German parents.

Loyalty is not a matter of ancestry. It is a matter of the heart. In my opinion there can be no punishment too severe for the man who is disloyal to his country, whether he be of German, English, or any other descent, but I think it would be cowardly to prosecute a man like Mr. Gelfuss for stealing canned goods for the sole reason that his grandparents were German and because they can find no evidence against him to justify his prosecution for disloyal utterances to his Government. No sane man in Spartanburg will believe that a man of Mr. Gelfuss's standing would connive with a soldier at Camp Wadsworth to steal condensed milk or pineapple, knowing, as he would, that

he would be thereby placing his life, his liberty, and his character in the hands of a soldier in the United States Army whom he had never known before and who any moment could ruin him by reporting his theft. Anyone would know that Mr. Gelfuss has sense enough to know that the soldier could come to him next week, knowing that he is a man of some means, and demand \$10,000 of him under threat of reporting him to the Government for stealing condensed milk.

I trust that politics is not responsible for these allegations as to Senator TILLMAN and myself at this time. I dislike to believe that any man is such a scoundrel that in order to attack either Senator TILLMAN or myself he is willing to ruin the life or the character of a man who has done as much for Spartanburg as has Gus Gelfuss.

As I have stated before, we called upon Senator TILLMAN and, after the facts were stated to him, he, like myself, felt very much outraged, and we did wire to Commissioner Gantt, at Spartanburg, not "ordering" him to do anything, because anybody but a fool knows that a Senator or Congressman has no right to "order" officials of the Government as to what they shall do. We wired Commissioner Gantt asking him not to issue a warrant until he heard from us. At the same time we wired to Hon. W. J. Thurmond, asking him to take the matter up with Commissioner Gantt and to hold same open pending a thorough investigation. All that Senator TILLMAN did, or all that I did in this matter, was to ask the Department of Justice not to have a man whom we considered absolutely innocent arrested until a thorough investigation had been made. I, of course, have copies of the telegrams, and also a copy of the letter which I wrote to Mr. Thurmond. The latter is rather lengthy, and I therefore have not put it in this statement, because of the space it would take up. However, if you desire it, I will be glad to send you a copy of same.

In your editorial you state: "The part of the gentlemen in Congress is so irregular, however, it is certainly worthy of mention, for if there is an authority for Senators and Congressmen to give orders to Federal magistrates it is not generally appreciated by the public." You know as well as I do that there is no such authority. You also know, however, or you should know, that the mere fact that a man happens to be a Member of the Senate of the United States or a Member of Congress does not preclude him from making a request of any official, whether he be State or Federal, to investigate a thing thoroughly in order that justice may be done. Recently, or to be more definite, during the Confederate reunion in Washington last June, a young man who works in one of the cotton mills in my district was unfortunate enough to come to Washington, get crazy drunk, pull out his pistol on Pennsylvania Avenue, and start shooting. One ball from his revolver happened to strike a lady whom he had never seen. He was arrested, put in jail, and appealed to me for help. I secured a bondsman for him and got him out, and am now interceding with the district attorney here, with a view of having his punishment made not so severe as it would be made under ordinary circumstances. I conceive it my duty as a Member of Congress to look after my constituents in every way possible when I think they are right; and, regardless of what the enemies of Mr. Gelfuss might say, as long as I am in Congress I propose to do my duty as I see it. I do not believe that District Attorney Thurmond or that Commissioner Gantt would take orders from any Member of the Senate or any Member of Congress. I do believe, however, that both these gentlemen are always willing to give heed to requests not only from men in official life but from any private citizen. I can not conceive that because a man has been honored by his people to represent them he loses his right as a private citizen to request of an official of the Government that justice be done. If that is the case, we should not be fighting now for world democracy.

As I have stated before, I think that the article in your paper, and also the editorial, are absolutely unfair. If I thought for a moment that Mr. Gelfuss was pro-German and was doing anything to deter us in bringing this war to a prompt, successful conclusion the people who know me will realize that I would never have turned my finger over for him, because, however, a man's grandparents happened to have been born in Germany, that does not convince me that he can not be a loyal American citizen. This fact has been brought very closely to my attention on account of my intimate connection with Hon. JULIUS KAHN, who is the ranking Republican member of the Military Affairs Committee, of which I have the honor to be a member. He was born in Germany and moved to this country from Germany. However, in a great many of the fights on the floor he has led the administration measures here for our Government.

The only object I had, and I know the only object that Senator TILLMAN had, in this matter was to try to see that Mr. Gelfuss got a square deal and not have his name besmirched without just cause.

In conclusion, I want to say that since being a Member of Congress I have tried to represent all my people justly, equally, and fairly. I intend to make the race again for Congress, upon the assumption that it is my duty, as well as my pleasure, to represent my people as before stated. If I thought, as your paper insinuates, that I had to sacrifice my principles or my rights as an American citizen for the simple reason that I am a Member of Congress, I would be glad to retire and let some other man who did not agree with my ideas fill this position. I have no apology to make to any man or set of men for my attitude in this matter.

I hope that you will give this communication the same publicity which you gave the article which I consider reflects very much upon Senator TILLMAN, District Attorney Thurmond, Commissioner Gantt, Mr. Gelfuss, and myself.

I am in receipt of letter from Mr. Wyche, assistant district attorney, in which he states that he had talked to Commissioner Gantt and had requested that no warrant be issued until a thorough investigation was made. This is what the law contemplates, and this is all that we asked.

Yours, very truly,

SAM J. NICHOLLS.

ELECTIONS TO COMMITTEES.

Mr. KITCHIN. Mr. Speaker, I nominate and move the election of the following members of committees, which I send to the desk and ask to have read.

The Clerk read as follows:

Committee nominations.

FINIS J. GARRETT, of Tennessee, to be chairman of the Committee on Insular Affairs; JOHN W. RAINY, of Illinois, to be a member of the Committee on Agriculture.

The SPEAKER. Are there any other nominations?

Mr. GILLET. Mr. Speaker, I would like to place in nomination, not for the same committee assignments, but because

I think it might all be taken care of in the same vote, the gentleman from Ohio, Mr. FESS, to be a Member of the Committee on Rules, to take the place of Mr. LENROOT.

The SPEAKER. The gentleman from Massachusetts nominates the gentleman from Ohio, Mr. FESS, as a member of the Committee on Rules. Is there any other nomination? [After a pause.] The question is on the motion of the gentleman from North Carolina [Mr. KITCHIN] to elect these various candidates to the committee places named.

The question was taken, and the motion was agreed to.

THE WAR.

Mr. WALDOW. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for three minutes. Is there objection? There was no objection.

Mr. WALDOW. Mr. Speaker, I have here a resolution adopted by the Senate and the Assembly of the State of New York, which I send to the desk and ask to have read in my time. The SPEAKER. Without objection, the Clerk will read.

There was no objection.

The Clerk read as follows:

STATE OF NEW YORK, IN ASSEMBLY, April 12, 1918.

By unanimous consent, Mr. Sage offered for the consideration of the joint assembly of senate and assembly the following resolution:

"Whereas the most important task before the United States is to win the war; and

"Whereas the war will not be won until the peaceful development of all free peoples is guaranteed by the strength of their own will: Therefore be it

"Resolved by the Legislature of the State of New York (both houses concurring), That the State of New York pledges all its resources to the vigorous prosecution of the war until Prussian autocracy has been defeated; and be it further

"Resolved, That the State of New York favors the entrance of the United States after the war into a league of nations to safeguard the peace that must be won by the joint military forces of the allied nations; and be it further

"Resolved, That certified copies of these resolutions be sent by the Secretary of State to the President and to the presiding officers of both branches of Congress and to each of the Senators and Representatives from New York."

Which concurrent resolution was agreed to.

STATE OF NEW YORK, COUNTY OF ALBANY.

Office of the Clerk of the Assembly, ss:

I, Fred W. Hammond, clerk of the assembly, do hereby certify that I have compared the foregoing record of proceedings of the assembly of April 12, 1918, relative to the resolution therein set forth with the original thereof as contained in the original official copy of the journal of proceedings of the assembly of said date and that the same is a true and correct transcript of said journal of proceedings in so far as the same relates to said resolution and of the whole thereof.

In witness whereof I have hereunto set my hand this 23d day of April, 1918.

FRED W. HAMMOND,
Clerk of the Assembly.

Indorsed: Filed April 23, 1918. Francis M. Hugo, Secretary of State.

STATE OF NEW YORK.

Office of the Secretary of State, ss:

I have compared the preceding copy of resolution adopted by the Senate and Assembly of the State of New York with the original resolution on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole thereof.

Given under my hand and the seal of office of the secretary of state, at the city of Albany, this 23d day of April, in the year 1918.

[SEAL.]

C. W. TAFT,
Second Deputy Secretary of State.

The SPEAKER. The resolution is referred to the Committee on Foreign Affairs.

MINERALS AND METALS FOR WAR PURPOSES.

Mr. FOSTER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11259.

Mr. PARK. Mr. Speaker, I have a privileged resolution—

Mr. FOSTER. Could it not wait until to-morrow? Is it going to take any discussion?

Mr. PARK. Well, I can not say that.

Mr. FOSTER. I would like to get in with this bill now.

Mr. PARK. Then I will wait until to-morrow.

Mr. FOSTER. If the gentleman will please wait.

The SPEAKER. The Chair would recognize the gentleman from Georgia if it is a pressing matter, but if it is not the Chair would wish him to wait until to-morrow.

Mr. PARK. We can wait until to-morrow.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11259.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11259, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11259, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11259) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply.

The CHAIRMAN. At the time the committee rose there was pending an amendment offered by the gentleman from Ohio.

Mr. LONGWORTH. Mr. Chairman, I think I shall ask permission to proceed for 10 minutes, although I do not think I shall use that time.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Mr. Chairman, I ask that the amendment be reported.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 1, after the word "alloys," strike out the words "and chemical compounds."

Mr. LONGWORTH. Mr. Chairman, I offered this amendment the other evening just before the committee rose, and I asked that it should be considered as pending in order that I might further examine into this question and that the committee in charge might further examine into the question as to whether or not it would be wise to strike out the words "and chemical compounds." As I understand it, in the bill as originally drafted by the department and submitted to the committee, chemical compounds were not included, and in the hearings it was admitted by several witnesses that such a provision would immensely broaden the bill. I was inclined to think at the beginning that it would be very unwise to go so far as to include all the chemical compounds of these various metals and other substances provided for in the bill; so I made a rather careful investigation of the matter, and after talking with some gentlemen who are experts on this question I came to the conclusion that it would interfere with the objects sought to be accomplished by this bill if chemical compounds were not included. I have decided, therefore, not to press my amendment.

A word or two as to the merits of the bill. I am in very grave doubt, gentlemen, I confess, and the more I study this bill the graver my doubts become, as to the wisdom of its passage, and yet I think that I shall probably support it. There is no use in mincing words about it, though. It is another one of those socialistic price-fixing contraptions, a number of which we have enacted, and I think that few will say, so far, with much success. Then, too, it involves the expenditure of an amount of money that no one here can possibly guess. This revolving fund of \$50,000,000 may amount to hundreds of millions of dollars more before we get through, and yet I doubt whether there is any other way now of immediately obtaining certain supplies that seem to be absolutely necessary for our effective participation in this war.

One point about this bill appeals to me rather strongly, and that is that the powers and duties conferred by it are to be administered by the Secretary of the Interior, whom I regard as undoubtedly the sanest, ablest, and the least politically selfish man in the Cabinet. [Applause.] Then, in so far as this bill will accomplish the permanent development of the industries mentioned, it is a good thing. I happened to be a member of the Committee on Ways and Means, which drafted the much maligned Payne law. At that time we seriously took up the question of the development and encouragement of most of the various industries described in this bill. We gave the question serious consideration, we had hearings, and we ended by imposing a substantial protective duty on almost every one of the materials named in this bill, with the idea of encouraging these industries to the extent that they would be able to fill all the needs of this Nation, both in peace and war times. As to whether or not those industries would have by this time developed to the extent necessary I, of course, can not tell, but the fact is they never had a chance, because within a very short time the Underwood law came along, and an entirely different method of treating these subjects was adopted. Duties in every case were reduced to a point where it was frankly intended that the importation of those various articles should be stimulated to the greatest possible degree. The industry at

home was deliberately intended to be discouraged and the importations of those materials encouraged in the development of a policy in precise juxtaposition to the policy proposed in this bill. In no case was a higher duty imposed than that which was expected to produce the largest revenue by encouraging the largest possible importation.

Take all the metals named in this bill. Under the Payne law a substantial protective duty was placed upon them. Under the Underwood law they were lumped in a bracket bearing a duty of 10 per cent ad valorem and importations, of course, were very greatly increased.

Mr. SLOAN. Will the gentleman yield for a question?

Mr. LONGWORTH. I will.

Mr. SLOAN. I gather, then, from the view of the gentleman from Ohio that this is a species of protection, but at the expense of the American people and the United States Treasury, while the system of protection favored by the gentleman under the old law was at the expense of the foreigner and for the benefit of the United States Treasury. Is that correct?

Mr. LONGWORTH. I agree entirely with my colleague. Of course I do not desire to precipitate any political argument here. I am simply referring to the fact that if the system adopted at that time had been allowed to continue probably the necessity for this bill would not be apparent to-day.

Mr. SLOAN. Just one word. If mayhap the gentleman discovered anything political in any suggestion of mine, I trust he will withdraw it from the Record.

Mr. LONGWORTH. I, of course, acquit the gentleman of any such intention. He has conspicuously refrained from introducing politics into any debate during this session, and very properly so.

Mr. SHERLEY. I took your question and answer to be for the purpose of illustrating that you both believed in protective theories.

Mr. LONGWORTH. We do, and, apparently, so does the gentleman's party in this instance, for this measure is the most highly protective measure, in a sense, that one can conceive of, because we are to take the money directly from the Treasury and give it to certain gentlemen for the purpose of developing these industries.

Mr. WALSH. Will the gentleman yield?

Mr. LONGWORTH. I yield.

Mr. WALSH. You mean everything is protected except the Treasury?

Mr. LONGWORTH. Everything is protected in this bill except the Treasury. I thank the gentleman for his suggestion.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. LONGWORTH. I yield with pleasure to my friend from Texas.

Mr. SLAYDEN. I would like to ask the gentleman if these various commodities that it is intended to develop here do not now command a very high price in the markets of the world?

Mr. LONGWORTH. I presume they do.

Mr. SLAYDEN. A very high price.

Mr. LONGWORTH. And the reason they command such a high price is that their development in this country was interfered with, so that we are now not able to supply the needs of the market, and therefore the prices have immensely increased. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. Mr. Chairman, may I have three minutes more?

The CHAIRMAN. The gentleman from Ohio asks unanimous consent for three minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. SLAYDEN. Does not the gentleman think that these very high prices form sufficient inducement for the development of these enterprises without going into socialistic propositions?

Mr. LONGWORTH. Well, the gentleman may be right, and yet the responsible authorities of this administration come to us and say that the only way we can supply the requisite amount of these materials is to take money directly out of the Treasury and give it to the gentlemen whom they desire to subsidize.

Now, I am one of those who believe that this country should supply everything that is necessary for the happiness and prosperity of its people in time of peace and for their security in time of war—everything that is climatically possible to produce in this country. According to the reports that are before us now it is possible to produce to the full extent these specific articles which up to this time we have been relying on foreign countries to supply to us. Under the circumstances it seems to me that it will be difficult for gentlemen, no matter how or in what school of thought reared, to say after this war is over that if we are justified now in taking more than \$50,000,000

from the Treasury of the American people and giving it directly to persons to build up these industries now, after this war is over it ought not to be the policy of this Government to see to it that in an indirect way, under a protective policy, these industries shall be perpetuated. [Applause.]

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

By unanimous consent Mr. LONGWORTH was given leave to revise and extend his remarks in the Record.

Mr. SANDERS of Indiana. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SANDERS of Indiana: Page 2, line 15, after the word "thereafter," strike out down to and including the word "terminated," in line 17, and insert in lieu thereof the words "for such period of time as is hereinafter provided."

Mr. SANDERS of Indiana. Mr. Chairman, the question presented by this amendment is the question of whether or not the governmental control of these war minerals shall be definitely fixed or whether it shall be left, as is provided in the bill, to the judgment of the President. The amendment which I have offered is an amendment on page 2, line 15, to strike out this expression, "only until, in the judgment of the President, the agencies and activities herein provided for can be reasonably terminated." I propose that there be inserted in lieu thereof the following expression: "for such period of time as is hereinafter provided."

Mr. MADDEN. Can not you follow that with another amendment—

The CHAIRMAN. Does the gentleman yield?

Mr. SANDERS of Indiana. Not just now.

The reason I propose to make the amendment in this form in section 1 is that in section 23 a provision similar to that contained in section 1 is also found. And I want to discuss section 23 and section 1, because they contain the same proposition; and I shall later offer an amendment to section 23 which will definitely limit the time for governmental control to six months. And I want to take the liberty now—

Mr. MILLER of Minnesota. The gentleman means six months after the war is terminated?

Mr. SANDERS of Indiana. Six months after the termination of the present war.

Mr. MILLER of Minnesota. May I ask a question of the gentleman before he goes to another subject?

The CHAIRMAN. Does the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. MILLER of Minnesota. Can the gentleman inform us what prevailed upon the committee to put that language in section 1 to which he just referred? What reason did the committee have for putting in the very extraordinary language after the word "thereafter," the language that the gentleman proposes to strike out?

Mr. SANDERS of Indiana. I do not know.

Mr. MILLER of Minnesota. I think this language so unusual and inapt that it must have been put in by design. It could not have been by inadvertence.

Mr. SANDERS of Indiana. Section 23 prescribes the time when the provisions of the act shall cease and uses this language:

Sec. 23. That the provisions of this act shall cease to be in effect after the existing state of war between the United States and Germany shall have terminated, and the fact and date of such termination shall be ascertained and proclaimed by the President as soon as in his judgment the agencies and activities herein provided for can be reasonably terminated—

And so forth. Now, I propose, when we reach that section, to offer an amendment which will read as follows:

That the provisions of this act shall cease to be in effect at the end of six months after the existing state of war between the United States and Germany and between the United States and Austro-Hungary shall have terminated, and the fact and date of such termination shall be ascertained and proclaimed by the President; but the termination of this act shall not affect the exercise of such authority and power herein granted as shall be necessary to speedily wind up the affairs of any enterprise already entered upon or to carry out any guaranty or contract made pursuant to the terms thereof and such termination.

Mr. WINGO. Mr. Chairman, will the gentleman yield there?

Mr. SANDERS of Indiana. In just a moment. It will be noted that under the provisions of the bill as it is now drawn all of the Government control must last until all of the agencies and activities can be terminated. By a subsequent provision of the law the Secretary of the Interior is authorized to guarantee for a period not to exceed two years a certain price for any one

or more of these minerals. Therefore, for illustration, if the war should end in June of next year, and in May of next year an agreement should have been entered into to guarantee a price for two years, none of the provisions of this act could be terminated until the expiration of the two years.

There ought certainly to be no objection to this particular amendment to section 1, because, regardless of whether the period in section 23 shall be left to be six months after the termination of the war or whether it shall be left as it is, this provision will not be harmful. My object in presenting here this provision that it shall be for such period of time as is hereinafter provided was to present the question at one time, the question of whether it would run for a definite period or whether it should be left indefinite.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SANDERS of Indiana. I ask unanimous consent for five additional minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent for five additional minutes. Is there objection?

There was no objection.

Mr. SANDERS of Indiana. The question is whether all of the powers shall be granted to the Secretary of the Interior for all of the period of time during which any of the activities started may last or whether it shall be definitely terminated. Some of the powers enumerated in the bill are powers to license all of these products and to regulate their production, the power to condemn property, the power to requisition and take over necessities, the power to fix the price of necessities, the power of determining the royalty that shall be paid, and the power in one of these sections is vested in the President of the United States to fix the tariff on all these products. In other words, if the bill remains as it is and if there is any activity at the time of the duration of the war which should carry it on for two years, then the President of the United States should be left with the power to fix the revenue duties for a period of two years; and it is very likely—

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. LITTLE. Do I understand the gentleman to contend that if some contract should be made or some rule should be established that would endure for two years after the termination of the enforcement of this law, the law would still remain in force for two years, notwithstanding the provision that would make it discontinue?

Mr. SANDERS of Indiana. Yes.

Mr. LITTLE. That is the present provision?

Mr. SANDERS of Indiana. Yes.

Mr. LITTLE. And you are seeking to obviate that?

Mr. SANDERS of Indiana. Yes; I am seeking to obviate that by providing a definite time when the law shall cease and still retaining the powers that are necessary in the executive department to finish any matter that may be on hand; and the provision of the amendment that I shall later offer would have all the power that is necessary to terminate and speedily wind up any of the affairs of any enterprise already entered upon. This provision for a definite period of six months after the war is copied to a large extent from the War Finance Corporation bill, which provides a period of six months, which is an ample period for the country to readjust itself and be ready to enact legislation that would be proper in peace times.

In addition to the question of this being a desirable thing, I think there might be grave doubt as to the validity of this law if we did not definitely fix the duration of the emergency created by the war, because much of it would not be within the power of the Congress to enact as a peace measure, and we are reaching out and taking that power because we are in war, and it is the duty of Congress to definitely fix the time of the emergency created by this war; and I think, Mr. Chairman, that—

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. MOORE of Pennsylvania. The gentleman indicated that the bill provided somewhere—I have been unable to find it—that the President may in certain contingencies have the power to fix the tariff duties?

Mr. SANDERS of Indiana. Yes.

Mr. MOORE of Pennsylvania. Is not that in violation of the Constitution of the United States?

Mr. SANDERS of Indiana. There is some question in my mind as to the validity of the provision here. There is no question of the right of the President to put into effect certain duties if the legislation makes the amount of the duties sufficiently definite. There has been some question in my mind as to the constitutionality of the provision.

Mr. LONGWORTH. What section is that?

Mr. SANDERS of Indiana. That is on page 15, in section 14.

Mr. MOORE of Pennsylvania. That power is clearly vested in Congress—the power to fix duties.

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. FOSTER. This is the same provision as is in the food bill, I will say to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Affecting tariffs?

Mr. FOSTER. Certainly.

Mr. MOORE of Pennsylvania. But Congress certainly fixes duties under the Constitution.

Mr. SANDERS of Indiana. I will say to the gentleman that this provision is not for the purpose of raising revenues. It is for the purpose of protection.

Mr. FOSTER. For the Government in any law?

Mr. SANDERS of Indiana. For the protection against imports.

Mr. FESS. Will it interrupt the gentleman if I ask him a question?

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. I ask unanimous consent that the gentleman may have two minutes more, so that I may ask him a question.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the gentleman from Indiana may have two minutes more. Is there objection?

There was no objection.

Mr. FESS. I want the gentleman to inform the House whether the bill specifies the minerals upon which the Government shall guarantee a price.

Mr. SANDERS of Indiana. It does not. It leaves that to the discretion of the administration.

Mr. FESS. Second, in fixing the price of any mineral, the only way it could be done would be to stand ready to take the product of the mineral.

Mr. SANDERS of Indiana. That is true.

Mr. FESS. Would that mean that the Government would be under obligation to take all that was produced whether it needed it or not?

Mr. SANDERS of Indiana. It would, except that that is all a matter of regulation, and the selection of the particular mineral upon which a guaranteed price shall be offered is also an administrative matter, and may be covered by regulation. The gentleman's statement would be true, subject to any qualifications that might be put in valid regulations on that subject.

Mr. FESS. I notice that Dr. Smith, who, I think, is an authority on the production of these minerals, if any man in America is, says that we produce 100 per cent of bromine, that we produce only 23 per cent of manganese, but that of magnesite we produce 99 per cent, and of mercury 120 per cent of our supply. In other words, there are many minerals of which we are producing more than we need.

Mr. SANDERS of Indiana. Yes; but it is not to be supposed that the administration, in carrying out this act, would guarantee a price upon minerals of which we are producing plenty without that guaranty.

Mr. FESS. It would be a very foolish thing to do.

Mr. SANDERS of Indiana. The food bill permitted the guaranteeing of the price of only one article—wheat—but this bill permits a guaranteed price of any mineral, and does not propose to limit the guaranty, and it is not to be supposed that the administration would guarantee the price of any mineral of which there is plenty; but there are other provisions of the act which might be used with reference to such a mineral.

Mr. FESS. Suppose we have selected one mineral the production of which is very small in comparison with our needs, but in due process of production we discover a process of producing great quantities. Do we have the freedom to stop the guaranteeing of the price of a mineral, no matter what amount is produced?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. WINGO. I ask unanimous consent that the gentleman have two minutes more.

Mr. FOSTER. I ask that the gentleman have two minutes more.

The CHAIRMAN. Unanimous consent is asked that the gentleman's time be extended two minutes. Is there objection?

There was no objection.

Mr. FESS. If I may be permitted to repeat my question, there may be some things of which we now produce a small percentage of our needs, but there might be methods of production discovered that would result in a production far in excess of our needs. Now, suppose we have fixed a price upon that article, do we have the authority in the bill so that the administration

can qualify or reconsider a decision formerly made before the process of producing the larger quantity had been discovered?

Mr. SANDERS of Indiana. The gentleman has asked a question which I think is the most important one in the whole bill, and if he will read the hearings he will find it is one that I sought to bring out when different witnesses were before the committee, the question whether there was any liability of overproduction under a guarantee, and whether the Government would be able to take care of itself in that event. It is a difficult question, and I should say that the Government would be under at least a moral obligation, if not a legal obligation, to carry out any guarantee that it should make, regardless of subsequent developments. Of course, in administering the act great care would need to be exercised in making such a guarantee. For instance, we would not want to have occur in this country what occurred in Australia, where they guaranteed the price of wheat and twice as much wheat was produced as could possibly be used there, and the Government was obliged to buy it, and it has its wheat and no way to ship it. That is a very grave question, and I may say that the effect of this act will depend altogether upon the care taken in the administration. This very feature will require the most care. As to whether the guarantee of a price for a year would so bind the Government that it would have no right six months thereafter to break that guarantee, I do not know. I should doubt if the Government would have the moral right to do that. Of course, legislation authorizing a certain thing might be repealed, and we could repeal the act perhaps at any time.

Mr. FESS. The gentleman recognizes the fact that a substitute might be discovered that would prove a better article for the purpose than the one we had guaranteed, so that the one thing might be entirely useless because of finding a better thing. Evidently we ought to have some protection somewhere.

Mr. SANDERS of Indiana. I think the administration of this guarantee provision ought to be very carefully guarded, and that it ought to be very rarely used.

Mr. LONDON. If the gentleman will yield, the right to guarantee a price does not exclude the right of the Government to enter into a contract to protect the Government against every possible contingency, including overproduction.

Mr. SANDERS of Indiana. Yes; if that could be embraced—

Mr. LONDON. But could it not be embraced?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. STAFFORD. I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the gentleman from Indiana [Mr. SANDERS] may proceed for five minutes. Is there objection?

There was no objection.

Mr. LONDON. Is not that power embraced within the provisions of the bill?

Mr. SANDERS of Indiana. It is. This bill embraces the power to guarantee prices for any one or all of these minerals. It is a general guaranty. It also gives the right to the Secretary of the Interior to go out and purchase and pay a price for these things.

Mr. MILLER of Minnesota. But that does not also give anyone the right to tell a man that he can not produce.

Mr. LONDON. That was not the intent of my question.

Mr. HARDY. Will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. HARDY. Right along that line suggested by yourself a moment ago, would not it be in order under this bill for the President's agent to make a contract with an individual for the production of a given amount of such commodity?

Mr. SANDERS of Indiana. That is within the terms of the bill. I should think in administering the bill this provision would be used to a greater extent than the guaranty.

Mr. HARDY. That would be a means whereby the Government might protect itself against overproduction by making a contract for the production of so much.

Mr. SANDERS of Indiana. I do not know of any particular means of protection against an unwise guaranty.

Mr. HARDY. The gentleman understands that under this bill they can make a contract for a limited amount at a given price.

Mr. SANDERS of Indiana. Yes; and that would protect them against the guaranty if it would keep them from making the guaranty.

Mr. CANNON. Will the gentleman yield?

Mr. SANDERS of Indiana. I will yield to the gentleman from Illinois.

Mr. CANNON. Do I understand that under this bill, a war bill, a contract might be made with some one to produce pyrites at a fixed price without exercising the general power to fix a price wherever it was produced?

Mr. SANDERS of Indiana. Yes.

Mr. CANNON. They may pick out a favored one here or a favored one there?

Mr. SANDERS of Indiana. Yes.

Mr. CANNON. Did the committee consider that if there was somebody producing a large amount of manganese, for instance, or sulphur, which is used for sulphuric acid the same as pyrites, that a bounty might be given to A, a good Republican or a good Democrat or a good Socialist, and all the balance of the people producing a similar thing that might be a substitute therefor would continue to produce without regard to the guaranteed price of the favored party. Can that be done under the provisions of this bill if it should be enacted?

Mr. SANDERS of Indiana. In administering the provisions of this bill great favoritism could be shown.

Mr. CANNON. If that be true, is not the thing to do in regard to this bill to cut off its head? [Laughter.]

Mr. GARLAND. Is not that true of all the other war bills that advantage could be taken under the provisions?

Mr. SANDERS of Indiana. I might say, in line with the suggestion of the gentleman from Pennsylvania, that that same thing is true of the food bill and of a great many of these bills where we have given vast powers to the Executive.

Mr. CANNON. You can include A and exclude all the other producers?

Mr. SANDERS of Indiana. Yes.

Mr. CANNON. I did not know of any such provision, and I never will vote for any such provision for anybody.

Mr. SANDERS of Indiana. The provisions for guaranty in this bill are the same as in the food bill, except that in the food bill it was limited to wheat, and here any one of these may be selected. The provision regarding the power to go out and purchase is identical with the food bill.

Mr. CANNON. That is not what I was talking about. I was talking about—take manganese, for instance; we have multiplied it 6,000 per cent in five years' production in this country, and still we do not produce, probably, two-thirds of what we need. Now, could you take some one citizen or corporation under the provisions of this bill and say, "We will pay you \$5 a ton for manganese if you will produce it," and not say it to others? I can conceive that we might say we will pay \$5 a ton to all producers of manganese.

Mr. SANDERS of Indiana. The bill has that provision, but it also has the additional provision that the gentleman is criticizing.

The CHAIRMAN. The gentleman's time has again expired.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAMLIN. Will the gentleman yield?

Mr. SANDERS of Indiana. I yield to the gentleman from Missouri.

Mr. HAMLIN. The gentleman from Indiana does not mean to tell the gentleman from Illinois and the House that the bill provides that the Government may in the purchase of manganese, as suggested by the gentleman from Illinois, discriminate between manganese producers to the hurt of any one of them? The bill has no provision that would warrant that discrimination, I take it, and I am familiar with the provisions of the bill.

Mr. STAFFORD. If the gentleman will yield in that particular, it was stated by some gentleman on the committee in general debate that you could favor an individual miner by giving him a guaranteed price that would not extend to all the producers in the commodity. That was the purport of the inquiry of the gentleman from Illinois [Mr. CANNON] to which the gentleman from Indiana replied affirmatively.

Mr. HAMLIN. A statement was made to this effect—that in fixing the guaranteed price the Government could and would take into consideration the location of the particular mine, its proximity or distance from a market, railroad, and so forth—in other words, as to the cost of production, so that the price at the mine in one section of the country might be different at one time than another.

Mr. SANDERS of Indiana. The gentleman is dealing with the guaranteed price. This was not what the gentleman from Illinois [Mr. CANNON] was criticizing. I will read the portion of the bill which I have interpreted. It is on page 16, beginning with line 2, as follows:

For the purpose of making any guaranteed price effective under this section, or whenever he deems it essential, in order to protect the Government of the United States against material enhancement of its liabilities arising out of any guaranty under this section, the Secretary of the Interior with the approval of the President is authorized also, in his discretion, to purchase any of these necessities for which a guaranteed price shall be fixed under this section, and to hold, transport, or store, or to sell, dispose of, and deliver the same to any citizen of the United States or to any Government engaged in war with any country with which the Government of the United States is or may be at war, or to use the same as supplies for any department or agency of the Government of the United States.

Section 11 also authorizes the purchase of these necessities.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. In a moment. There is authority in that bill for the Secretary of the Interior to purchase any of these necessities without any limitation as to how he shall go about the purchase of it, without any limitation as to whether he shall call for bids, or any other provision; and, as I understand it, that provision could be used to go out and purchase from A any quantity at any price the Government sees fit to pay, and refuse to purchase from B any quantity that he has and leave B out of it. That was the provision of the bill that I was referring to in answer to the gentleman from Illinois [Mr. CANNON] and I am not undertaking to say that that is an unwise provision. I say that if it is unwisely administered we will have disastrous results.

Mr. HARDY. Is it not in practice the very same thing that applies in making a contract to build a ship for so much, making a contract with A and not with B?

Mr. SANDERS of Indiana. Those provisions are usually hedged about with restrictions in respect to receiving bids, and so forth.

Mr. HAMLIN. Because the gentleman has read that provision of section 14, I desire to ask if that is not the very provision that protects against the other criticism mentioned a while ago, in case there might be an overproduction of certain material?

Mr. SANDERS of Indiana. I have never been able to understand how that provision in any way protects the Government against overproduction under a guaranty.

Mr. HAMLIN. Oh, yes; for the purpose of making—

Mr. SANDERS of Indiana. Pardon me, but I have not finished. According to my belief, the only thing that will protect the Government of the United States in overproduction under a guaranty is wisdom in making the guaranty, and the only thing that will protect the public from partiality in purchase is impartiality in making the purchases.

Mr. HAMLIN. But if there should be a guaranty made and an overproduction come from it, this provision undoubtedly gives the Government the right to go and buy it and store it or ship it and sell it either to ourselves or to our allies, and in that way protect itself against this guaranty during the life of the contract.

Mr. SANDERS of Indiana. For the life of me, I can not see that that protects you against the guaranty. The reason the guaranty is dangerous is because if you guarantee that you will pay \$10 a unit for a certain article where you need 100,000 units, and 200,000 units are produced and offered, you have to buy the additional 100,000 units, because you have guaranteed that price; and how that can protect the Government is more than I can see.

Mr. HAMLIN. The language of the bill is:

For the purpose of making any guaranteed price effective under this section, or whenever he deems it essential, in order to protect the Government of the United States against material enhancement of its liabilities arising out of any guaranty under this section, the Secretary of the Interior with the approval of the President is authorized also, in his discretion, to purchase any of these necessities for which a guaranteed price shall be fixed under this section, and to hold, transport, or store, or to sell, dispose of, and deliver the same to any citizen of the United States or to any Government engaged in war.

Mr. SANDERS of Indiana. The power to sell relieves.

Mr. HAMLIN. And the power to buy and store.

Mr. SANDERS of Indiana. The power to buy does not relieve the guaranty.

Mr. HAMLIN. Oh, yes. If A is overproducing something on which the Government is giving a guaranty, the Government may go and buy the surplus, and if the Government has a ready market for it, all right; or it can store it.

Mr. SANDERS of Indiana. The gentleman from Missouri is talking about overproduction from the standpoint of the producer. The point I make is that if you want 100,000 units of a certain article, and in order to get them you guarantee a price of \$25 per unit, and 200,000 units are produced, then you have to pay \$25 per unit for the additional 100,000. The only thing that relieves from that, of course, is the ability to sell it to some other government. That is in a measure some relief.

Mr. HAMLIN. Undoubtedly.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. MILLER of Minnesota. In the case of production of any one of these items it will be probably either under or over production.

Mr. SANDERS of Indiana. Yes.

Mr. MILLER of Minnesota. I would like to inquire if it is not the fact that overproduction is hardly to be anticipated in any one of these items?

Mr. SANDERS of Indiana. The testimony of the experts appearing before the committee was to the effect that overproduction was not dangerous, that there was not much danger of it. If the gentleman will read the hearings he will find that I asked that question of about four different witnesses who would know.

Mr. MILLER of Minnesota. And the danger now existing of a large production of any of these items will be less six months from now or a year from now than it is now, will it not, by reason of the fact that capable miners and producers will necessarily have to devote themselves to the production of these essentials like coal and iron and many of the others, so that men will not be available for large production of any of these items?

Mr. SANDERS of Indiana. My notion is that the question of overproduction, if this bill be enacted, will depend upon the wisdom of its administration. If you pay \$25 a unit for something that you ought not to pay more than \$12 for the people producing that unit will go out and get the laborers, and you will have an overproduction, if the resources are here.

Mr. MILLER of Minnesota. I substantially agree with the gentleman, although I do not think the matter of overproduction is one that need concern us materially.

Mr. SANDERS of Indiana. I do not think so either.

Mr. MILLER of Minnesota. Now, coming to the question of underproduction, that is, the quantity of this material desired for war preparations is in excess of that which is produced, if the Government guarantees the price, say the Government needs 100,000 units and guarantees the price of \$25 a unit, and the commercial world outside the Government also wants 100,000 units, and there is produced 150,000 units, is it not a fact that if the Government fixes a price sufficient for its own it is sufficient to fix the price for all?

Mr. SANDERS of Indiana. Yes, it does; and it has the power—

Mr. MILLER of Minnesota. Will not the fact the Government pays \$25 a unit for that which it wants necessitate the commercial world to pay the same price for that which it gets?

Mr. SANDERS of Indiana. I think so.

Mr. MILLER of Minnesota. So the guaranteeing of price in that respect will not work injury at all, because the Government will be paying the market price?

Mr. SANDERS of Indiana. I think that might result.

Mr. MILLER of Minnesota. It will be artificial; there is no doubt, but—

Mr. FESS. Will the gentleman yield?

Mr. SANDERS of Indiana. I will.

Mr. FESS. I would like to have the attention of my friend from Minnesota. His assumption is that there was not any risk in overproduction. I notice the bill mentions five articles here, where Dr. Smith says we are producing all now that we need and three we are producing beyond our need.

Mr. MILLER of Minnesota. What are the three?

Mr. FESS. Sulphur is one, 105 per cent.

Mr. MILLER of Minnesota. That is a common production, like sand.

Mr. FESS. And bromine, 100 per cent; and mercury, 120 per cent, and so on.

Mr. MILLER of Minnesota. None of those things are dangerous. Of course, sulphur is like sand, almost; and mercury and so on are really in such small quantities that the total amount would not be large.

Mr. FESS. I think the assumption that by the Government taking them at this guaranteed price there would not be an overproduction is a violent assumption, because if the law be passed it will be an invitation that it will have the Government back of it.

Mr. FOSTER. If the gentleman will permit, take the case of sulphur, of which the gentleman speaks. Now, it is not at all possible, it is imaginary, to say we are going to put a price on sulphur and buy all sulphur.

Mr. FESS. If that is true, it is all right.

Mr. FOSTER. And I will tell the gentleman why, and why it is in this bill, in three words almost. The sulphur of the United States comes out of practically two mines. They are the greatest sulphur mines in the world, 99 per cent pure sulphur. It is controlled by a very few people. Suppose this Government gets to a place where it wants to control the price of sulphur. I understand in one sulphur mine of the United States that the par value of the stock is \$100, and yet it sells for \$14,000 a share. Now, if we undertook to boost the price so high the Government ought to have some right to control it.

Mr. FESS. Do you give it in this bill?

Mr. FOSTER. We do.

Mr. FESS. That is what I wanted to get at.

Mr. FOSTER. The same thing as to a production in the State of my colleague and myself, and that is fluorspar, which is in the hands of a very few people.

Mr. SANDERS of Indiana. Mr. Chairman, I have been frankly stating to the committee the interpretation that I place upon this bill. I do not want the committee to understand because I have placed that interpretation upon the bill that I am opposed to it. I am heartily in favor of its passage, and I have endeavored to discuss the powers that it grants so that we may all know just what the legislation is that is being enacted when the bill passes, if it is not decapitated by the distinguished gentleman from Illinois [Mr. CANNON].

Mr. JAMES. Will the gentleman yield?

Mr. SANDERS of Indiana. I will.

Mr. JAMES. The gentleman from Illinois understands that on manganese, for instance, you can pay a certain man a certain price and another man another price. There is nothing like that in the bill?

Mr. SANDERS of Indiana. I do not want to recur to that again, but I will call the gentleman's attention to the provision which I think gives that right, and that is on page 16, line 2 and thereafter, and also section 11. This gives those powers to the Government and the department. There is not any Member of the House who would be in favor of the passage of this bill in peace times; but the department which has these matters in charge, the Secretary of the Interior, and in his department the Bureau of Mines and the United States Geological Survey, which have gone over the whole situation, say that it is needful to have this legislation. I understand that when you analyze the power you grant here, and assume that that power is going to be used unwisely, that then you must concede disaster faces us. But I am willing at this time to grant those powers to the department and to depend upon the wisdom and the impartiality of the administration in carrying out the terms of the bill; but I particularly wanted the committee to know what those vast powers were, because I think that six months after this war has terminated that these unprecedented powers ought to terminate. [Applause.] I have offered this amendment to this section, which says that the duration shall be as hereinafter provided, and subsequently, when we reach section 23, I shall offer an amendment which will fix the duration six months after the war. I do not mean by that if we have taken over a plant that was idle and operate it at the end of six months we have not the right to the time necessary to complete that undertaking; and I do not mean, if we have made our guaranty two months before the termination of the war for six months, that we shall rob that man of his right under the guaranty, and the amendment I shall offer will take care of that proposition. I mean by this amendment that if we have made a guaranty 2 months before the termination of the war that shall require 22 months after the termination of the war to fulfill, then if we have done that that we shall not have to continue all the provisions of the bill for that time, but shall cut off these vast and unprecedented powers at the end of the six months after the war, leaving only such powers as are necessary to carry out that guaranty.

The provisions of the bill, as the bill reads at present, would absolutely require that all the provisions should remain in effect 22 months after the war if we made a contract two months before the termination of the war, carrying it on for two years.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SANDERS of Indiana. I will.

Mr. MOORE of Pennsylvania. Section 2 confers enormous powers upon the President and the Secretary of the Interior, including the power to enter into contracts or agreements, and so forth. They might be for a term of years, I submit to the gentleman. They might not terminate within six months. How would the gentleman meet that question?

Mr. SANDERS of Indiana. If there is any provision in the bill that permits contracts running beyond the period of two years, that should be curtailed by amendment.

Mr. MOORE of Pennsylvania. In the matter of the War Finance Corporation there was a limitation of 10 years, which some of us endeavored to cut to 8 years. Is there any such limitation in this bill as to the term of contract?

Mr. SANDERS of Indiana. The subject matter is not the same. You can not make a guaranty after the war has closed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SANDERS of Indiana. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. I think the question is important and has a direct bearing on the point the gentleman is raising. I want to know if contracts made by the Secretary may be limited in their operation to the period of six months after the war.

Mr. SANDERS of Indiana. I doubt under the provisions of the bill as now written it would be so limited.

Mr. MOORE of Pennsylvania. Suppose a contract is made to operate a certain property in the name of the Government for a period of 10 years, and the war terminates and seven and a half years of the contract remains. Does not that mean that the Government would be obliged to go on for the remainder of the time after the war?

Mr. SANDERS of Indiana. My opinion is that that sort of a contract would be ultra vires. But if there is any likelihood of the Government having that power it should be changed by some amendment.

Mr. MOORE of Pennsylvania. But there is no limitation now so far as the gentleman knows?

Mr. SANDERS of Indiana. No. [Applause.]

Mr. WINGO. Mr. Chairman, when you come to consider any provision in this bill you ought to consider it in the light of all the provisions of the bill, and when you come to consider all the provisions of the bill you ought to do so in the light of conditions that confront you and what we desire to do and what our war necessities are. I believe I said the other day that as a general proposition I do not like legislation of this kind, and in passing I suggest that my test, by which I determine whether or not I should support a measure of this character can be measured by this rule. I am one of those who believe that private enterprise and private initiative should be left unhampered and be depended upon as long as it can meet the general public good. And only when private initiative and private enterprise fail to meet the necessities of the general public should the agencies of the general public—the Government—step in and aid or take charge.

Now, when we talk about the limitation of the powers as covered by the gentleman's amendment, let us see what he proposes to do. On page 2 he proposes to strike out, after the word "thereafter," in line 15, these words:

Only until, in the judgment of the President, the agencies and activities herein provided for can be reasonably terminated.

Now, he also inserts in lieu of that language "or such period of time as is hereinafter provided."

Then he proposes, in section 23, to strike out practically the same language as that which he strikes out on page 2.

Mr. SANDERS of Indiana. The gentleman sees no objection to the adoption of this particular amendment, I take it?

Mr. WINGO. I am going to get to that. I am going to show my viewpoint about it. I thought in the committee that I agreed with the gentleman, and I thought he and I got what we wanted. There is not only 2-year or 3-year or 18-month or 6-month provision in this bill. It is an absolute termination at the end of the war. The two-year provision of the bill covers length of contracts authorized by the bill.

Now, I do not believe I will violate the spirit of the proprieties by divulging the action in the committee on this proposition. When we came down to the proposition that would absolutely terminate these agencies at the end of the war we were confronted with this practical proposition that made us retain the language that is in there, namely, that you would authorize contracts not to exceed two years, and that this war may cease suddenly. You may make contracts to meet the pressing obligations of the Government in getting some of these metals for the manufacture of munitions. Three months before the war terminated you may see the necessity for making a contract that will run 11 or 12 months.

Now, I think if gentlemen will examine the provisions of the bill they will find that we have done this: That we have terminated every authority to initiate anything new after the termination of the war, and we only leave the power there to do that thing which the gentleman says he wants to do and tries to do in his amendment—wind up the affairs of this agency. Now, I think we all agree, gentlemen, that that is what we want

to do. Even the gentleman will agree as to that. We do not want this to go a day longer than the emergency exists and the necessities that are to be met have been met. I think we all agree to that. None of us cares to continue this agency and this extraordinary power after the emergency and the necessity have passed away. No one wants to do that, and the committee does not. And, I reiterate, the only reason why we left that language in the bill was because we could not absolutely wipe out this power and let it cease the day peace was declared, because you would have outstanding contracts to be considered and you would have outstanding arrangements.

Then here is another thing to be considered. It does not appeal to me as it should appeal to some gentlemen who have discussed protection, and I do not care to go into that. I only mention it for purposes of illustration. These are industries where there is no question of overproduction, except one or two, and the gentleman from Illinois [Mr. FOSTER] has explained why these are included in the bill—to prevent monopoly and the holding up of the Government or those having with it contracts for war supplies, it is necessary to provide with respect to those articles. It is, in the main, to meet underproduction and to save shipping in bringing these things in from other countries that this bill is presented.

If you give a man a contract on a specific price that will enable him to operate under his contract for a certain time, the effect is the same as though you paid him a bounty or gave him a protection. The effect that the Government wants to produce is, under the guaranty provision, the production of these articles which it needs. Now suppose you terminate all this by one fell stroke by the declaration of peace. These men who are engaged in this industry may not have anticipated it. The history of peace treaties in the past in the termination of wars bears out the contention that peace will come suddenly, so far as the general public is concerned. If they know that peace has been declared they will have a certain time under the proclamation to wind up the affairs of this system and they will know what to expect.

But suppose you adopted the amendment that is proposed. Everyone who goes out and undertakes to dig up these deposits and bring them in may say, when the Government agent goes to him, "I do not know on what day peace will come, and if it does come suddenly will all this be wiped out?" I think in fairness to these men who have put their money into these enterprises they should know the date when the change will come. We all dread the jar and the jolt that will come at the termination of this war, when we come back to peace basis in our industrial affairs. That is a reason why we should have a provision in this bill which will permit an easing off. If it should be less than six months it might not be sufficient. That is the reason why we do not put in "12 months" or "18 months" or "2 years."

If you read the language closely, gentlemen, you will see that we put a limit, and that is the day peace is declared, for the exercise of the initiation of the authority, and we have only left it for the President to say by his proclamation when in safety to the Government and in good faith to the men whom we have asked to go out and do this work it can be eased off. That is what we have done.

Mr. HAMLIN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. HAMLIN. On that point I would like to call the attention of the committee to the proviso beginning on line 22 of page 10:

That nothing in this act shall be construed to authorize entering into contracts under this act after the termination of the war.

Mr. WINGO. Certainly. There are several provisions in there along that line.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. SANDERS of Indiana. There is but one power here that ends with the war under the terms of the bill, and that is the power to enter into any additional contract, as suggested by the gentleman from Missouri. Is not that true?

Mr. WINGO. As a general proposition, yes; and I think it is a dangerous thing to tie the Government up for over two years.

Mr. SANDERS of Indiana. That question is preliminary to the other question that I wanted to ask. Under the amendment which I read and which I intend to offer to section 23 there is a provision that "the termination of the act shall not affect the exercise of such authority and power herein granted as shall be necessary to speedily wind up the affairs of any enterprise already entered upon or to carry out any guaranty or contract

made pursuant to the terms thereof and such termination." Now, so far as any obligation extends toward the person who has put his money into these mines, does not that take care of the proposition, and is not the effect of my amendment merely to protect these powers that are necessary to be retained six months after the war? If the bill is left in its present form it will continue all the power that is granted in the bill except one specific power—that of making contracts.

Mr. WINGO. The gentleman has covered that in his argument. I am trying to answer that very argument. I will read the gentleman's proposed amendment, and I submit that by it he will extend the authority six months longer than the present bill. Now notice the reading of the bill, and then I will read the amendment that the gentleman proposes to offer. I read:

That the provisions of this act shall cease to be in effect—

That is the same as the language in the bill up to that point. I read further—

at the end of six months after the existing state of war between the United States and Germany and between the United States and Austria-Hungary shall have terminated, and the fact and date of such termination shall be ascertained and proclaimed by the President—

In the line after the word "effect" he adds "at the end of six months." Now, let us see what other language he changes. Down in lines 18, 19, and 20 he strikes out this language:

as soon as in his judgment the agencies and activities herein provided for can be reasonably terminated.

I think that is what he cuts out. He substitutes this for it:

But the termination of this act shall not affect the exercise of such authority and power herein granted as shall be necessary to speedily wind up the affairs of any enterprise already entered upon or to carry out any guaranty or contract made pursuant to the terms thereof and such termination.

What does he propose to do? You can make a contract under his amendment five months after the war is closed. Under the terms of the act you can not make any contract after the war is closed. But he says "the termination of this act shall not affect the exercise of such authority and power herein granted as shall be necessary"—to do what? To carry out any contract? No; "the affairs of any enterprise already entered upon or to carry out any guaranty or contract made pursuant to the terms thereof."

I submit that his amendment makes the terms more uncertain. We have undertaken to stop as far as we could go the authority at the termination of the war, and to give only such time as is necessary to ease off in the case of such contracts as might extend as much as nearly two years after the war, and the language in the bill is only saving language for the purpose of meeting the emergency; and the present language of the bill, I submit, is more definite and certain, and will limit the authority for the exercise of these extraordinary powers to the day that peace is declared, and then all that is done after that will be nothing more than the gentleman says—to wind up the affairs of any enterprise already entered upon or to carry out any guaranty or contract made, but it would not permit the carrying out of new enterprises.

Mr. MOORE of Pennsylvania. The contract is made during the period of the war, and it may be made for a term of years?

Mr. WINGO. Not over two years.

Mr. MOORE of Pennsylvania. That is what I was inquiring of the gentleman from Indiana.

Mr. WINGO. The gentleman will find that on page 15 of the bill, also on page 10.

Mr. MOORE of Pennsylvania. In the war corporation bill provision is made that the business shall not run more than 10 years, and there ought to be a limitation here. I was interrogating the gentleman to find out if there was such a provision.

Mr. WINGO. The guaranty is not to continue for more than two years, nor can contracts run longer than two years.

Mr. MOORE of Pennsylvania. The contract for taking over a mine—

Mr. WINGO. That would not be a contract, that would be exercising the sovereign power of the Government to meet a war necessity, and the Government would not enter into any contract for that; but if it did, by the bill the contract is limited to two years.

Mr. MOORE of Pennsylvania. There are two ways of looking at it. The Government might suddenly dump the property back on the owner and do him great injustice, and, on the other hand, it might be that the owner of the property would say, "Well, you can not leave me now, because I have an agreement with you to continue for a term of years."

Mr. WINGO. I do not think, if the gentleman will read the act, that he can find any authority for a contract exceeding two years. I think that is a reasonable and fair interpretation of the act. We have done all we could not to have the Government do anything where private capital can do it.

Mr. FOSTER. Mr. Chairman, we have been talking about a good many things that are not in this particular section. I wonder if we can not make some agreement as to debate on this section? I ask unanimous consent that debate on this section and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. FOSTER. Now, Mr. Chairman, I want the gentleman from Iowa [Mr. GREEN] to have five minutes, the gentleman from Minnesota [Mr. ANDERSON] five minutes, the gentleman from Missouri [Mr. HAMLIN] five minutes, the gentleman from Pennsylvania [Mr. GARLAND] five minutes, and the gentleman from Wyoming [Mr. MONDELL] 10 minutes.

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes.

Mr. GREEN of Iowa. Mr. Chairman—

Mr. CANNON. Mr. Chairman, I want by unanimous consent to make a statement. It is nearly half past 1, and the time for lunch is about over.

Mr. HAMLIN. This debate will run 30 minutes.

Mr. CANNON. That is one minute for each man now present in the committee. It is nonsense to talk about as important a bill as this is to empty benches. What I do not know about this bill will make two or three books, and I want information. I want to give notice also that during the remainder of the consideration of this bill in the Committee of the Whole I shall try to keep a quorum here. Therefore I make the point, Mr. Chairman, that there is no quorum present. I do not do it for delay, but because it is a very important matter.

The CHAIRMAN. The gentleman from Illinois makes the point of order that no quorum is present. Evidently there is no quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer:

Anthony	Fields	Kreider	Sanders, La.
Austin	Flood	LaGuardia	Sanford
Bacharach	Flynn	Langley	Schall
Booher	Fordney	Larsen	Scott, Iowa
Bowers	Foss	Lazaro	Scott, Pa.
Brodbeck	Francis	Lee, Ga.	Scully
Caldwell	Freeman	Leibach	Sells
Campbell, Kans.	Gallagher	Lever	Shackelford
Campbell, Pa.	Gallivan	Littlepage	Sherley
Carew	Gandy	Lobeck	Shouse
Carter, Mass.	Glass	Lufkin	Siegel
Chandler, N. Y.	Godwin, N. C.	Lunn	Siepm
Chandler, Okla.	Good	McCormick	Small
Church	Gordon	McFadden	Smith, Mich.
Clark, Fla.	Gould	McKeown	Smith, C. B.
Clark, Pa.	Graham, Ill.	McKinley	Smith, T. F.
Cleary	Graham, Pa.	McLaughlin, Pa.	Snell
Coady	Gray, Ala.	McLemore	Snook
Cooper, Ohio	Gray, N. J.	Mann	Stedman
Cooper, Wis.	Gregg	Martin	Steele
Copley	Griest	Meeker	Stevens, Nebr.
Costello	Hamill	Mentague	Sterling, Pa.
Cox	Hamilton, N. Y.	Mott	Stevenson
Crosser	Harrison, Va.	Mudd	Strong
Curry, Cal.	Heaton	Nichols, Mich.	Sullivan
Dale, N. Y.	Heintz	Norton	Summers
Dale, Vt.	Helvering	Oliver, N. Y.	Swift
Davidson	Hicks	Olney	Switzer
Delaney	Hilliard	O'Shaunessy	Talbot
Denison	Holland	Park	Taylor, Colo.
Dent	Hood	Parker, N. J.	Templeton
Dewalt	Howard	Platt	Thompson
Dies	Husted	Polk	Tilson
Doelling	Jacoway	Porter	Tinkham
Doughton	Johnson, Ky.	Pou	Treadway
Drukker	Johnson, S. Dak.	Powers	Venable
Dupré	Jones	Price	Walton
Dyer	Kahn	Ragsdale	Ward
Eagan	Kearns	Rainey, H. T.	Watson, Pa.
Ellsworth	Kelley, Mich.	Rankin	Whaley
Estopinal	Kelly, Pa.	Riordan	Williams
Evans	Kettner	Rowland	Wood, Ind.
Fairchild, B. L.	King	Rucker	Zihlman
Fairchild, G. W.	Kinkaid	Russell	

The committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration H. R. 11529, found itself without a quorum, whereupon he caused the roll to be called, when 256 Members, a quorum, answered to their names, and he handed in the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. A quorum is present. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. SAUNDERS of Virginia in the chair.

Mr. GREEN of Iowa. Mr. Chairman, I rise to support the amendment of the gentleman from Indiana fixing the time when the powers conferred in this bill shall terminate. It seems to me that the provisions of this first section now under consideration are inconsistent with the provisions of section 23, and that

the amendment offered by the gentleman from Indiana might well be adopted without amending section 23.

As this amendment pertains to the duration of the powers provided in this bill, I wish to speak briefly with reference to the extent of those powers. When I first examined this bill I thought some one had apparently found that there were some powers lying around loose which we had not delegated and that it was necessary to bring in a bill in order that we might give those away along with the others which we have abdicated. I should not object to this so much in war time if I knew there was a necessity and reason for it; but I have listened very carefully to this debate without being able to satisfy myself of the necessity for conveying these powers. The gentleman from Illinois [Mr. FOSTER], chairman of the Committee on Mines and Mining, whom we all so highly respect and esteem—and this is no empty compliment, but simply an expression of the feeling of the whole House—talked for some time, but I was unable to gather definitely what it was intended to do under this bill. Other gentlemen have spoken, and even apparently under a misapprehension of the real condition of affairs. Upon examining the hearings I find that a gentleman by the name of Ingalls, editor of a mining and engineering magazine, says that, so far as most of these minerals are concerned, there is no scarcity, but that there is, on the contrary, a superfluity; that if there is any scarcity it relates to manganese, chromium, and pyrites.

I remember that the gentleman from Missouri [Mr. HAMLIN] spoke about antimony very vigorously; but I infer that antimony is quite abundant, from the fact that its price is only about half what it was in 1916, and that therefore there is no particular reason for stimulating the price of that mineral.

Mr. HAMLIN. Will the gentleman yield?

Mr. GREEN of Iowa. Yes; I yield to the gentleman.

Mr. HAMLIN. The price of antimony in 1916 was \$25, and in 1917, \$21.

Mr. GREEN of Iowa. The gentleman certainly is looking in the wrong column. The official statement of the imports shows that in 1917 we imported about twice as much antimony as in 1916, but obtained it for a less price. Therefore it is now only about half the price it was then. As I remarked before, the only minerals as to which there is any scarcity are manganese, chromium ore, and pyrites, and the reason for doing something with reference to manganese is not really its scarcity after all. In looking through these hearings I do not find that any manufacturer who uses manganese has testified before the committee. No one has said that he needed any manganese to carry on his business, so far as I can ascertain. The only persons who are supporting this provision who are in any business whatever are certain mine owners who are very enthusiastic about the high price that will be paid for minerals under the provisions of this bill. They think it should be passed. Outside of that I am unable to find that anyone who is engaged in any business thinks it is necessary that this bill be adopted.

Mr. WELLING. Will the gentleman yield for an interruption right there?

Mr. GREEN of Iowa. I have only five minutes.

Mr. WELLING. I want to say that not a solitary mine owner appeared before the committee except one, and he opposed the bill.

Mr. GREEN of Iowa. The gentleman printed in the hearings the statements of a number of mine owners who supported it, and I can readily call the attention of the committee to it if anyone cares to take up the time. On page 115 will be found a statement signed by four mine owners, who say that they "highly indorse" the bill.

Mr. MONDELL. Mr. Chairman, my support of this bill, such as it is, arises more from the promptings of a lively hope than from the assurances of a sound judgment. [Laughter.] The time was, many years ago, when, following the practice of the western country, I roamed the hills somewhat as a prospector. It was my lot and good or ill fortune at one time or another to engage to a considerable extent in the development of minerals, among others some of the minerals enumerated in this list of so-called necessities. I have some knowledge of the practical conditions surrounding the discovery and development of properties of this sort, and my opinion is that the present high prices and unusual demand for these minerals will in the main lead to their development, so far as the minerals are to be found anywhere within our borders, without any Federal aid or encouragement. There may, however, be a sound reason for the encouragement of the mining of certain minerals, pyrites and manganese particularly, in this country, due to the fact that our foreign importations are large, and it is desired to utilize shipping now engaged in that trade for other purposes.

How far we are justified in placing a bonus on developments of manganese and pyrites and minerals of that character in order to relieve the demand for shipping I do not know, and

it is because of that doubt rather than because of any well-grounded conviction that any real and substantial good will come out of the measure that I am proposing to support it, particularly if it is somewhat amended. It is a curious fact that no man is ever a good prospector except the fellow who prospects largely on his own account.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I am sorry, but I have not the time—and no man is a reliable expert on a mining proposition except the fellow who is compelled to submit his judgment to the acid test of actual development at a profit under private enterprise. The very fact that a man receives an official salary seems to deprive him of the spirit and the inspiration and the sound judgment necessary to make him a good prospector and a wise and dependable advisor in the matter of mineral development.

Mr. Chairman, I did not take the floor primarily for the purpose of discussing those features of the bill, but rather to call attention to the curiously illogical attitude of certain departments of this Government touching important, necessary, and essential mineral development. I think it may be said in truth that this legislation, if it is placed upon the statute books, will have become law very largely through the influence of the Secretary of the Interior, a very able and upright and wise man, a friend suggests, with all of which I agree. But the attitude of the Secretary of the Interior toward various classes of minerals is curiously illogical. While he is proposing we authorize the expenditure of \$50,000,000 of the good money of the American people, invested in liberty bonds and obtained from payment of taxes, for the purpose of encouraging the development of certain minerals, the necessity for the encouragement of which is not altogether demonstrated, the Secretary of the Interior by his own acts has tremendously curtailed the development and production of mineral oil, a mineral element needed now as badly as any element produced from the earth. This very hour throughout all of the West men are prospecting the public lands, spending their time and money, enduring hardships, willing to invest their capital to develop oil, and no sooner does a prospector, a developer, a wildcatter, plant his stakes and proceed to development than the officials of the Geological Survey, under the orders and jurisdiction of the Secretary of the Interior, proceed to withdraw the land from under the locator, thus discouraging him and preventing development. Within the last two weeks orders of withdrawal have been issued covering thousands of acres in the State I have the honor to represent on this floor. Nearly a million acres of that State, upon much of which development work would now be under way with private capital, by private enterprise, are now, and have for a considerable period of time been, held in withdrawal, making it impossible for the private individual to go on with his mineral development, except at the hazard of contesting with the same Secretary who withdrew the land his right, title, and interest in and to it. We are needing constantly increasing quantities of mineral oils for fuel, for lubrication, for power.

The reserve supplies are shortening every day. The demands are increasing every hour, and in this condition of affairs, when we are proposing to spend large sums of the people's money in the encouragement of the development of certain other minerals, the influence and activity of the Interior Department is being used in the discouragement of the development of these highly essential mineral products. Before long we shall have reported to this House a bill which, if it comes here in the form in which I understand it has been agreed upon, will add to the discouragement of oil production by further penalizing the activities of those seeking to develop the oil lands of the West.

I am hopeful that out of this bill now before us some good will come. I trust that expenditures under it may be wise. The Lord knows I hope, as all good Americans do, that we may develop our resources and become independent of all the world for these necessary minerals. I trust we are justified in spending some of the people's money for that desirable consummation. In the meantime may we not also hope that a department of the Government that is aiding, promoting, and urging this legislation shall in good conscience take its heavy hand off the oil development of the West? [Applause.]

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. ANDERSON. Mr. Chairman, if it is not out of order, I would like to discuss the pending amendment. The amendment of the gentleman from Indiana proposes to fix the termination of the exercise of the powers conferred in this bill with reference to the termination of the war and thereby to confine the powers conferred by the bill to those powers which Congress has the right and the power to confer. If this bill has any sanc-

tion or basis of law at all, it rests upon the war powers of the Government. It is a war bill. No pretense is made by anyone that the powers conferred in the bill can rest upon any other constitutional ground. The bill provides that the governmental control of the necessities described in it "shall continue during the war and thereafter only until, in the judgment of the President, the agencies and activities herein provided for can be reasonably terminated." The final language of this paragraph has no relation whatever to the termination of the war. It would mean exactly the same thing if it said that the powers conferred in the bill shall terminate whenever the President shall so proclaim, without any reference to the war at all. Obviously that provision, if it is effective, if it is assumed to be effective, is beyond the power of the Congress, because we can only legislate under the war power during the period in which the country is at war. It seems to me apparent that whatever may be done in section 23, which is the section which really should terminate the powers conferred in the bill, the amendment of the gentleman from Indiana which refers to this paragraph ought to be adopted, because there certainly should not be two provisions in the bill; both of them seeking to put an end to the powers conferred by it.

I refer now to section 23. Whatever the committee may have meant by the language of the section, the language is unfortunate and does not, in fact, express any concrete or understandable termination of the act. It provides similarly to the section to which I have already referred:

That the provisions of this act shall cease to be in effect after the existing state of war between the United States and Germany shall have terminated, and the fact and date of such termination shall be ascertained and proclaimed by the President as soon as in his judgment the agencies and activities herein provided for can be reasonably terminated.

Now, we have provided in other bills that the President shall determine when this war ends. That is the determination of a fact. It can not be dependent upon when the President thinks the powers of this bill should reasonably terminate, but it must be determined as a fact and apply to all legislation which has passed to carry on the war. The President certainly can not, as this language seems to imply, find a date for the termination of the war for the purpose of this act which is different from the date found for the termination of the war as to other acts which we have passed. It seems to me clear if we are to limit our action here to the conferring of powers which we have the right to confer that we must adopt some such amendment as is proposed by the gentleman from Indiana, which will terminate the law with reference to the termination of war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARLAND. Mr. Chairman, I believe the amendment offered by the gentleman from Indiana should be adopted. This bill if enacted gives very large power to those who are to apply it. It gives them immense powers; in fact, even dangerous powers. The bill itself is an emergency bill and would not be passed or thought of being passed in times of peace. Now that we are driven to the extremity where we must pass bills in order to carry on the war we should not permit anything in that bill to operate that might carry it past the necessary time that it may apply after the war, and for that very reason I think we should put in any safeguard that we may be able to put in as to the termination of the time of the bill and make it as soon after the close of the war as possible. That this bill must be passed is apparent to all; that there is in the passage of it a matter of about 400,000 tonnage that we take off and permit to be used to take men and transport food, guns, and ammunition across the ocean to carry on the war. Not alone that, but that tonnage may be cut off unless things seem to change more favorably than the newspapers now state. There is danger of us losing even the tonnage we have for that available, and if anyone has been following the newspapers for the last couple of days closely I believe they will see it is necessary for us to run some chances even in passing a bill of this sort, because these articles in here are as necessary for the operation of the war as steel, iron, cannon, or any other thing you use in war times. These are the ingredients that go into the making up of iron, steel, and these other appliances. Mr. Chairman, I am in favor of the amendment. I yield back any time I may have. [Applause.]

Mr. HAMLIN. Mr. Chairman and gentlemen, of course in five minutes I have not time to discuss this bill as I would desire to discuss it. In the first place, gentlemen, I am sure all appreciate the fact that there are only a few materials in comparison with the whole number of minerals in the country embodied in this bill. It is only an effort to give Government control of the few that are vitally needed and that are exceedingly scarce. Some gentlemen have talked this morning of the danger of overproduction, about there being no necessity to control some of the minerals because they are also being produced in this country as

much or more than we now need. I would call the attention of the committee to the fact that the official statement shows, based on this last year, that there was just 10 per cent of antimony produced in this country; some 60 per cent of arsenic; 1 per cent of cerium and thorium; 8 per cent of chalk; 37 per cent of chromium; none of cobalt; corundum and emery, 83 per cent; fluorspar, 94 per cent; graphite, 25 per cent; iridium, 5 per cent; magnesite, 90 per cent; manganese, 32 per cent; mica, 38 per cent; potassium, 10 per cent; pyrites, 33 per cent; tin, 15 per cent; and tungsten, 65 per cent. Those are the official figures, and every man who knows anything about the uses of these minerals must know that they are vitally necessary in the manufacture of war materials. I stated the other day, and I am sure that is the feeling of every man here, that in normal times and under normal conditions I would not vote for this bill, and I do not believe anybody else here would; but, gentlemen, we are confronted with a very serious condition. Some of these materials that are so necessary we have heretofore got from Germany, but, of course, we would not get them now from there. It may be that a mistake has been made in the past by not encouraging the production of these minerals by a tariff. I am not going to discuss that; it does not make any difference whether that is true or whether it is not true. We must now have these minerals, and the best way that has been thought out so far is embodied in this bill. Mr. Leith, connected with the Shipping Board, tells us that the passage of this bill will enable them to release from three hundred to four hundred thousand dead-weight tons of shipping. That we need this shipping goes without saying; every man understands that. I believe when gentlemen come to study this bill carefully there will be an almost unanimous conclusion reached that the bill is necessary, that it is safeguarded, and I wish I had time to discuss other features of it, and that no possible—I think the better word would be probable—no probable discrimination or injury can come to anyone. Now, just a word in reply in opposition to the amendment offered by the gentleman from Indiana [Mr. SANDERS] that is now pending. I agree entirely with my colleague from Arkansas that the language of the bill makes the termination of the great powers conferred by the bill shorter than it would be in case the gentleman's amendment should be adopted.

The gentleman's amendment provides for the continuation of the operations under contracts that the Government may be under at the time the war terminates. Now, the bill provides specifically, gentlemen, that no operation under this bill can be carried on a moment after the President issues a proclamation declaring peace. The only thing that can be continued under this bill is the carrying out of some agreement that may have been entered into under the bill before the termination of the war. And no contract can be entered into under this bill by the Government to extend over a period of two years. So that I can conceive, as my friend from Indiana [Mr. SANDERS] suggested, that in 3 months, or 2 months, or 30 days, perhaps, before the war terminated, none of us being able to see the result that far ahead, might enter into an agreement to guarantee minimum prices on certain things and the war suddenly comes to an end. The Government should have time to close up its contracts.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAMLIN. Mr. Chairman, I would like to have about five minutes more.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent that the gentleman may have his time extended five minutes.

The CHAIRMAN. The time for the termination of debate has been fixed by unanimous consent.

Mr. BUTLER. I ask unanimous consent that the gentleman from Missouri may have five minutes more time.

Mr. ANDERSON. Mr. Chairman, the gentleman from Illinois was insistent on limiting the time, and I think he ought to object if nobody else does.

Mr. HAMLIN. I think inasmuch as the agreement was made I ought to stand by it.

Mr. DOWELL. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Iowa makes the point of order there is no quorum present. The Chair will count. [After counting.] One hundred and seven Members are present, a quorum.

The question is on the amendment offered by the gentleman from Indiana [Mr. SANDERS].

Mr. GARLAND. Will the Chair have the amendment again reported so that gentlemen who have come in may hear it?

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again read.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. SANDERS].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Sec. 2. That the President is authorized through the Secretary of the Interior to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this act. That in carrying out the purposes of this act the Secretary of the Interior, with the approval of the President, is authorized to enter into any voluntary arrangements or agreements; to use any agency or agencies; to accept the services of any persons without compensation; to cooperate with any agency or person; and to coordinate their activities so as to avoid any preventable loss or duplication of effort or funds. Any person may be employed under the provisions of this act without reference to civil-service laws and regulations.

Mr. ROBBINS, Mr. McKENZIE, and Mr. MILLER of Minnesota rose.

The CHAIRMAN. The gentleman from Illinois [Mr. McKENZIE] is recognized.

Mr. McKENZIE. Mr. Chairman, I move to strike out the last word. I had intended to discuss this question, but I see in the room now the gentleman from Michigan [Mr. HAMILTON], and, as this is a war measure, he has a little matter that I think will be very interesting, and so I will yield to the gentleman from Michigan [Mr. HAMILTON] for two or three minutes.

The CHAIRMAN. Without objection, the gentleman from Michigan [Mr. HAMILTON] will be recognized for three minutes.

Mr. HAMILTON of Michigan. Mr. Chairman, as the Chair says, this will have to be read by unanimous consent. This poem was written by Capt. Rainsford as a marching song for his regiment, the Three hundred and seventh United States Infantry, National Army, which was stationed during the winter at Camp Upton. In its ranks are many Irishmen, and its commissioned officers carry blackthorn sticks. It is called "Faugh-a-Ballagh," which is Irish for "Clear the way."

This poem has all the swing of Kipling in it. I was reading it a few moments ago to some friends in the cloakroom, and it was suggested that it ought to go into the Record. It appeared in the last issue of the Outlook.

FAUGH-A-BALLAGH.

[By W. Karr Rainsford, captain, Three hundred and seventh United States Infantry, National Army.]

There's a Blackthorn Regiment belongs to Uncle Sam,
And it's heading out for trouble any day.
Be it France, or Greece, or Russia, it doesn't give a damn,
Only start it on its road and clear the way!

*So clear the way before us when our marching orders come!
Can't you hear the fife's screaming and the throbbing of the drum,*

*And the roar of marching feet
Down the crowded city street,
Past the avenues of faces? It's the long good-by for some.
It's the price we gladly pay
To the Resurrection Day.*

Let us pay it as we play it—Faugh-a-Ballagh! Clear the way!

We have never faced a barrage, and we've never shed our blood,
Though we've done our duty decent up to date;
But we're strong on stumps and snow fields, we're hyenas for the mud,

We'll be ready when we hear their hymn of hate.

We've a debt that's due to England. We've a price to give for France,

We've a score with God Almighty we would pay.

We have talked and we have dallied while the others staked our chance,

It is time we drew our cards—so clear the way!

There's a length of battered trenches where the trees are torn and dead,

With the reek of rotting horses in the air;
Where through the blinding fog the shells come wailing overhead,
And it's waiting for us now over there.

Where the yellow mud is spattered from the craters in the snow,
Where the dice of death are loaded—let us play.

We have pledged our word to Freedom, and it's there that we would go,

With the strength that Freedom gives us—clear the way!

*Clear the way to No Man's Land, with bugles shrill and high,
Clear it to the lid of hell, with flags against the sky.
Clear the way to Kingdom Come, and give us glad good-by,
We've a blow to strike for Freedom—clear the way!*

[Applause.]

Mr. McKENZIE. Mr. Chairman, I withdraw the pro forma amendment.

Mr. ROBBINS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. ROBBINS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROBBINS: Page 3, line 6, after the word "funds," strike out the balance of the paragraph, which words to be stricken out are as follows: "any person may be employed under the provisions of this act without reference to civil-service laws and regulations."

Mr. ROBBINS. Gentlemen of the committee, this provision is intended in the existing bill to strike down the civil-service examinations for these employees under this bill. It is unnecessary and it is unfair to do this.

I want to read to you, gentlemen of the committee, from the last report of the Civil Service Commission, on page 8, to show that there is already a provision in the general civil-service law of January 16, 1883 (22 Stats., 403), that exactly covers and applies to this situation. It says:

An Executive order was issued on March 26, 1917, permitting the commission, when it decides that because of the public exigency there is need of the immediate filling of a position for which there is no suitable eligible, to authorize the filling of such position by the appointment of a person shown to be qualified by such noncompetitive tests of fitness as the commission may prescribe. Up to October 1, 1917, 263 appointments had been authorized under this order, the appointee in each case being first required to file evidence of qualifications. By an Executive order of May 11, 1917, the commission was authorized in its discretion to approve appointments without examination of civilian employees attached to military organizations sent to Europe. Under this order 213 appointments were approved up to October 1, 1917. The commission is authorized under section 10 of Civil Service Rule II to permit appointment on noncompetitive tests of fitness to a vacancy in a position the compensation or duties of which are such that in its judgment qualified persons are so rare that it can not in the interest of good civil-service administration be filled at that time through open competitive examination. The number of appointments under this order during the fiscal year was 48. Many of these appointments were of persons with special experience or training who were willing for patriotic motives to serve the Government at a merely nominal compensation.

Now, there is only one reason why this committee should seek to make all of the employees under this bill of a class that is exempt from the civil-service requirements, and that is this, that technical knowledge is required as to the duties that these men are to discharge, especially in the educational qualifications that they must possess in order to meet the requirements of this act. And the rule which I have read, which is a standing rule of the Civil Service Commission, covers exactly employees or Government servants in that class. Therefore there can be no occasion for the exempting of this vast number of employees to be taken into the Government service under the provisions of this bill.

Why, gentlemen, we are brought to our senses here by the testimony taken by the committee in the hearings on this bill of the very large number of new employees which these Government departments have taken on during the last year. Mark this, and I read from Dr. Manning's testimony, on page 58 of the hearings. When asked about the Bureau of Mines, he said this:

The Bureau of Mines has increased its personnel from 470 men this time last year to about 1,700 men now.

The Bureau of Mines, of course, will have very largely to do with the examinations of mineral lands and mines that are to be conducted under this act. This bill is to create under section 17, that proposes an appropriation of \$500,000 for the investigations and search for these minerals, to employ a corps of men who are to go about over this country seeking these necessities or these secondary minerals, as they are called in the act. The number of that corps of men will be limited and their qualifications determined only by the ability of the Secretary of the Interior, who alone selects them. There will be an army of them, and they are to be all placed "outside of the civil service," with no mental requirements except what the Secretary says are to be adopted as a standard of capacity from which they are to be selected. He is to name them without any restriction if this provision is allowed to remain in the bill.

But that is not the most vicious part of this proposition. This is a deliberate attempt, intentional or unintentional, insidious as it may seem, innocent as it appears upon its face, to strike down the Civil Service Commission of the United States, a commission, gentlemen of the committee, that this month in the performance of its duties examined in Washington alone between April 15 and April 20, 3,187 persons for public service in the Government departments, and outside of Washington fully as many more. And last year, with all the great drafts upon it by the various departments, it examined in Washington 175,284—and I read from the last report, page 21, from which 79,268 persons were selected for the classified service and given employment, and outside of Washington 36,830, from which 7,044 were selected and placed in the classified service, or a total—mark the stupendous work that this commission is performing and is preparing to perform—a total of 212,214 persons were examined, out of which were selected and inducted into the Gov-

ernment service and qualified service 86,312. This, gentlemen, is intended as a death blow to the Civil Service Commission and to the civil-service law, and I am opposed to all such legislation. I hope that this amendment will be adopted and that all these employees to be engaged to perform service under this bill will be preserved within the civil-service law. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FOSTER. Mr. Chairman, the gentleman from Pennsylvania [Mr. ROBBINS] is entirely mistaken in his impression with reference to this provision. It is true that Mr. Manning did testify that this bureau had expanded from 470 to 1,700 men. But probably he did not tell the complete story—I mean Dr. Manning—so that the gentleman from Pennsylvania did not, probably, understand it.

Mr. ROBBINS. Does the gentleman mean to say that I did not read the exact language from Dr. Manning on page 58?

Mr. FOSTER. He did not read enough.

Mr. ROBBINS. I did not read all of his statement.

Mr. FOSTER. The gentleman might have that impression by reading what he did. But here are the facts: The 470 men were employees of the bureau. Now, as it is well known to nearly everybody, the Bureau of Mines has taken on a large amount of the work of the War Department in reference to war work, as to gases and such work connected therewith. Now, those men are not all taken in under the civil service. They are taken in under the war appropriation act, and many of them are enlisted men. Many of them are expert chemists and men of that kind, who are not under the civil service. There may be a few of them who are. So that disposes of that part of it.

Mr. MILLER of Minnesota. Mr. Chairman, may I make an inquiry of the gentleman?

The CHAIRMAN. Does the gentleman yield?

Mr. FOSTER. Yes.

Mr. MILLER of Minnesota. The gentleman states that the Bureau of Mines has taken over a large part of the work in regard to the production and handling of gas in the Army. Can the gentleman state, without going into too much detail, how large a part of the gas service is in the Bureau of Mines?

Mr. FOSTER. This Bureau of Mines is doing most of it. There are Army officers there.

Mr. MILLER of Minnesota. I think the gentleman is mistaken. Have they not an independent bureau in the War Department working on that?

Mr. FOSTER. They may have them together.

Mr. WELLING. May I read just what Dr. Manning says, following what was read by the gentleman from Pennsylvania?

Mr. FOSTER. Yes.

Mr. WELLING. He says:

The Bureau of Mines has increased its personnel from 470 men this time last year to about 1,700 men now. Of course, these are new departures; the War Department had not undertaken any of this work before. The character of this work is confidential.

Mr. ROBBINS. That is all right; but if the gentleman will permit—

Mr. FOSTER. That is where a large number of those men are located.

Mr. ROBBINS. Will the gentleman permit a question right there, so as to be perfectly fair?

Mr. FOSTER. Yes.

Mr. ROBBINS. If you will read the civil-service examination, they say under that position of military appointees for confidential work in the testing of gas or military work of that kind, under this provision 213 were appointed, not all of the 1,700.

Mr. FOSTER. I said that some of them were civil-service employees, a small part.

Mr. JAMES. The gentleman from Pennsylvania says this is an effort to strike down the civil service. Is it not true that the Civil Service Commission has joined in a request to the President to remove all war work in the Bureau of Mines from the Civil Service Commission?

Mr. FOSTER. Yes. And I will say this further to the gentleman from Pennsylvania, that they did make a request, as told by the gentleman from Michigan—made the request as to explosives. They joined in the request—the Civil Service Commission—that these men should, as far as possible, be selected outside of the Civil Service Commission. Now, as a result of what that explosives section did, I want to read to you what Dr. Manning said in reply to a question by the gentleman from Michigan [Mr. JAMES].

Mr. ROBBINS. Will the gentleman permit me right there? I called up the Civil Service Commission this morning and asked them about this matter, and they said they could provide all the

employees needed under this bill, and that the civil-service standards ought to be preserved.

Mr. FOSTER. They came under the explosives bill, but they joined in a request to the President to place them outside of the civil service. There is no controversy between the gentleman and myself about that.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. FAIRFIELD. Is there anything confidential in the personnel under this bill? There is no reason why they should be confidential?

Mr. FOSTER. No; none on earth.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ROBBINS. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois may have five minutes more. I interrupted him myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes more.

Mr. BUTLER. Mr. Chairman, will the gentleman from Illinois let me ask him a question?

Mr. FOSTER. Yes.

Mr. BUTLER. You know this is a year in which our side of the House is for the Civil Service Commission. [Laughter.] Is it possible for the Civil Service Commission under this bill to furnish these employees that will satisfy a man like me?

Mr. FOSTER. I will answer the gentleman. In answer to the question on this very point by Mr. JAMES, when Mr. JAMES said—

Mr. ROBBINS. Where does the gentleman read from?

Mr. FOSTER. From the testimony. I read the following:

Mr. JAMES. When the powder bill was up you remember this language, "accept the services of any person without compensation," and then a little further, "any person may be employed under the provisions of this act without reference to civil-service laws and regulations." I believe in civil service. At that time you stated it was not the intention of giving Democrats or anybody else a job, but simply to take care of a good many men who wouldn't want to take the civil-service examination whatever. You wanted to use them without getting their services for nothing, and at the same time you want to take care of that.

Dr. MANNING. I will give you a concrete illustration of that. In the explosion at Jersey City, instead of our bureau sending an expert over there, Mr. Topping, who was Director of the Bureau of Explosives, a bureau that is organized and financed by the railroads of the country, went there. He is getting a dollar a year. He made a prompt report to the Bureau of Mines as to the causes of that explosion. We had to give him a dollar a year so as to give him entrée to the manufactories and all plants where explosions occur.

He further said he sent that telegram to Mr. Topping, and in a short time he had word back as to the cause of that explosion. That is one reason why we could not ask a man like that to take a civil-service examination.

Mr. BUTLER. The gentleman knows that I have confidence in the gentleman. Does the gentleman feel that he has given me a reason in that one illustration?

Mr. FOSTER. Yes. Let me say to my friend this: These men are necessarily expert in that line of work, and ought to be.

Mr. JAMES. Under the powder bill we are using county clerks and village clerks.

Mr. FOSTER. Yes.

Mr. JAMES. They donate their services. We would not want them to take the civil-service examination.

Mr. FOSTER. And the mine inspectors.

Mr. JAMES. They would not want to take the civil-service examination.

Mr. FOSTER. We are using the county clerks, and, as the gentleman from Michigan says, we would not want them to take the civil-service examination.

Mr. BUTLER. No; and I would not either; but at the same time—

Mr. FOSTER. Some of those now connected with the bureau are under the civil-service law, and yet the director was not compelled to put any of them under that law. But he did it, and he put every one under the law that it was possible for him to put under it. The employees who do the clerical work are under the civil service now.

Mr. BUTLER. How about the clerical force hereafter?

Mr. FOSTER. I do not know what the gentleman means.

Mr. BUTLER. They will have to increase the clerical force under this bill.

Mr. FOSTER. Yes.

Mr. BUTLER. Those clerks will be appointed without reference to the civil service.

Mr. FOSTER. They could be, but I doubt if they will be.

Mr. BUTLER. Could we not write it into the bill, so that there would be no doubt about it.

Mr. FOSTER. We passed the explosives bill in the House with this very provision. It went to the Senate and the Senate cut it out. Then it went to the President, and he signed it; and after he had signed it and it had become a law, then the Civil Service Commission joined in a letter to the President asking him to remove these employees from the civil service on account of the peculiar work and its temporary character.

Mr. BUTLER. Under the law the President has the authority to designate certain men who may be employed under this bill without taking the civil-service examination. He has that authority now. Could we not write it in here so that it would specify, so as to satisfy the ordinary man as he runs along, that all the great clerical force should be employed under the civil service?

Mr. FOSTER. I care nothing about the clerical force. The men I am speaking about are this expert force who go out, and the men whom they might desire for consultation, who would be willing to do this work without compensation. There was Mr. Topping, whom they put on the roll at a dollar a year to do certain work without expense to the Government.

Mr. HAMLIN. There are certain technical gentlemen who ought not to be put under the civil service.

Mr. BUTLER. They ought not to be examined at this time, I admit, and they need not be.

Mr. HAMLIN. There is the State geologist of Illinois and the State geologist of Missouri, and there are one or two other eminent gentlemen who have been here helping the Bureau of Mines, and will doubtless continue to do so. These gentlemen would not want to take the civil-service examination.

Mr. MILLER of Minnesota. They are not employed by the Government, but by the State.

Mr. HAMLIN. They get a dollar a year, or something like that, from the Government.

Mr. FOSTER. There is Dr. Richards, from the gentleman's own State.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I ask unanimous consent that the gentleman have five minutes more.

Mr. GILLET. I ask that the gentleman have five minutes more.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman be extended five minutes. Is there objection?

There was no objection.

Mr. ROBBINS. I submit to the gentleman in all fairness that rule 2, section 10, as promulgated by the Civil Service Commission, would cover the very class of cases he is speaking of, where the President, in his judgment, thinks the qualifications of the persons are so rare that it is to the interest and good of the public service that they be taken out of the operation of the law. Does not the gentleman think that would cover every man who would be sent out to search for these necessary minerals under this geological expedition?

Mr. FOSTER. I do not think so. The gentleman has asked me a question. Let me ask this one: Does the gentleman think it would be right to take Dr. Richards, of Lehigh University, and say to him, "Now, we would like to have your services, but we want you to fill out one of these blanks of the Civil Service Commission?"

Mr. ROBBINS. I will answer the gentleman's question—

Mr. FOSTER. The gentleman can answer it yes or no.

Mr. ROBBINS. I will say no, that we do not wish him to fill out a blank; but I will say that the selection of a man like Dr. Richards is covered by this rule 2, section 10, now in existence, promulgated by the Civil Service Commission. I would not want to ask Dr. Richards to take an examination, but would require an application to disclose the facts necessary to such appointment.

Mr. FOSTER. He would belong to what they call the non-assembled type. They send out and grade a man, whether he is qualified. I would not want to ask Dr. Richards to do that. He is too high class a man.

Mr. BUTLER. I would not want to do that; but would it be necessary?

Mr. FOSTER. No; but he could not get in under the existing law if you strike that out.

Mr. MILLER of Minnesota. I can see some reason why it is not desirable that these technical and scientific men should be selected with any reference to the Civil Service Commission. It is a rather cumbersome method to go to the Civil Service Commission and say, "Here are some men whom we would like to get," and have the Civil Service Commission inspect them and go into all those details. That would be aggravating. On the other hand, I do not like the idea of leaving this wide open, and I ask the gentleman if he would have any objection to this

amendment, after the word "employed," in line 6, to insert the words "for technical or scientific work," so that it would read:

Any person may be employed for technical or scientific work under the provisions of this act without reference to the civil-service law.

Mr. FOSTER. I have no objection to that. This is not an attempt to break down the civil service. I will ask the gentleman to offer his amendment.

Mr. MILLER of Minnesota. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Illinois has the floor. Mr. FOSTER. I yield to the gentleman.

The CHAIRMAN. Does the gentleman from Illinois yield the floor to the gentleman from Minnesota to offer the amendment? Mr. FOSTER. I do.

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. MILLER of Minnesota. I offer a preferential motion to perfect the text; after the word "employed," in line 6, insert the words "for technical or scientific work."

Mr. GILLETT. Mr. Chairman, I am in favor of the amendment offered by the gentleman from Pennsylvania. I have listened to what the gentleman from Illinois has said. I do not think he at all answered the argument of the gentleman from Pennsylvania.

The fact is that in almost every bill brought up which has granted this enormous increase of force to the administration there has been this clause excepting the appointment from the operation of the civil-service law. The reason for that, in my opinion, is only that deserving Democrats may be appointed. That is my conviction of the purpose, and I believe that is the result. There is no need, and anybody who carefully inspects it will see that there is no need, for such a provision as this simply to protect a few exceptional appointments to which the gentleman from Illinois refers. The gentleman from Pennsylvania read the clause of the civil-service act which of itself protects them pretty well. But we have a further protection than that, because if it is necessary in order to procure the proper men that they shall be excepted from the civil-service law, the President of the United States by the law is given the power to except them. It is given for that very purpose. The reason the civil-service law was established was not because in all cases it ought to apply, but because in the majority of cases it ought to apply to prevent partisan appointments. It is applicable to us when in power as to you when in power. That is the purpose of it, and because in some cases it would be unwise and unduly restrictive, as the gentleman from Illinois suggests, the President was given absolute power, whenever he saw fit, to exempt from it a class or an individual. So in this case, if there are men who need to be exempted, all the President has to do is to sign the order. Therefore, in my opinion, all these exemptions have been put in order to allow partisan appointments. I can not see any other reason for it.

Mr. FOSTER. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. FOSTER. Does the gentleman think that men like Dr. Richards and others would be appointed for partisan purposes?

Mr. GILLETT. I do not think that everybody is appointed for partisan purposes. You have got to have some good men. [Laughter.]

Mr. FOSTER. And you can get them outside of the civil service.

Mr. GILLETT. Outside the Democratic Party, and the President can exempt them from the civil service.

Mr. FOSTER. The gentleman knows that the President has appointed quite a number of Republicans.

Mr. GILLETT. I do not know that he has.

Mr. HAMLIN. Does not the gentleman know that in the food bill we had the same provision that the clerks should be selected outside the civil service?

Mr. ANDERSON. I want to call the gentleman's attention to the fact that we did not have such a provision in the food bill. The President issued an order under which the Food Administration has taken its employees without reference to the civil service.

Mr. GILLETT. That seems to contradict the gentleman from Missouri.

Mr. HAMLIN. Mr. Hoover informs me that he selected his employees from the civil service.

Mr. GILLETT. I have great regard for Mr. Hoover, and I do not believe that Mr. Hoover is actuated much by partisan purposes. He is looking for good men and not good Democrats.

The purpose, as I believe—I hope that I am mistaken, but I do not believe I am—the purpose of the clause in these bills is in order to allow patronage appointments. And I think it is particularly unfair when such enormous powers and patronage have been given to the President by both sides that they

should always take pains to exempt them from the civil service. So that the appointments will only represent one side. The Federal reserve bank was the first law I remember that contained this exception, and then right down through all these additional departments and bureaus which have been created, every one of them, as I remember, has a clause that the civil-service rules shall not apply.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. GARRETT of Texas. If the amendment offered by the gentleman from Minnesota is adopted, except those falling under the amendment, all the other employees would come under the civil service.

Mr. GILLETT. If his amendment is adopted?

Mr. FOSTER. I have no objection to that.

Mr. GILLETT. Frankly, I do not think that is much better than it is now, although it is somewhat of an improvement. The committee did not put it in, they had to wait for the gentleman from Minnesota.

Mr. FOSTER. I think it is all right as it is, but I have no objection to it.

Mr. GILLETT. I do not think that is necessary.

Mr. DOWELL. Mr. Chairman, I raise the point of order that no quorum is present.

The CHAIRMAN. The gentleman from Iowa makes the point that no quorum is present. The Chair will count. [After counting.] Seventy-four Members present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Flood	Larsen	Rucker
Aswell	Flynn	Lazaro	Sanders, La.
Bacharach	Focht	Lee, Ga.	Sanford
Barnhart	Fordney	Lehlbach	Schall
Beshlin	Foss	Lever	Scott, Iowa
Brodbeck	Freeman	Linthicum	Scott, Pa.
Browning	Gallagher	Littlepage	Scully
Burnett	Gallivan	Lobeck	Sells
Caldwell	Gard	Longworth	Shackleford
Campbell, Kans.	Glass	Lufkin	Sherley
Campbell, Pa.	Glynn	Lunn	Shouse
Carew	Godwin, N. C.	McCormick	Siegel
Carlin	Goodall	McKinley	Siemp
Carter, Okla.	Gould	McLaughlin, Pa.	Small
Chandler, N. Y.	Graham, Ill.	McLemore	Smith, Idaho
Church	Graham, Pa.	Maher	Smith, Mich.
Clark, Fla.	Gray, Ala.	Mann	Smith, C. B.
Clark, Pa.	Gray, N. J.	Martin	Smith, T. F.
Coady	Gregg	Meeker	Snell
Collier	Griest	Miller, Wash.	Snook
Connelly, Kans.	Hamill	Mondell	Snyder
Cooper, Ohio	Hamilton, N. Y.	Montagne	Steele
Copley	Harrison, Va.	Moore, Pa.	Stephens, Nebr.
Costello	Hastings	Mott	Sterling, Pa.
Curry, Cal.	Haugen	Mudd	Stevenson
Dale, N. Y.	Hayes	Neely	Stiness
Dale, Vt.	Heaton	Nelson	Strong
Delaney	Heintz	Nichols, Mich.	Sullivan
Denison	Helm	Norton	Summers
Dewalt	Hicks	Oliver, Ala.	Swift
Dickinson	Holland	Oliver, N. Y.	Switzer
Dies	Hood	Olney	Talbott
Donovan	Humphreys	Paige	Templeton
Dooling	Husted	Parker, N. J.	Thomas
Doremus	Hutchinson	Phelan	Thompson
Doughton	Jacoway	Platt	Tilson
Drane	Johnson, Ky.	Polk	Tinkham
Drukker	Johnson, S. Dak.	Porter	Vare
Dunn	Jones	Powers	Venable
Dupré	Kahn	Price	Ward
Dyer	Kearns	Ragsdale	Watson, Pa.
Eagan	Kelley, Mich.	Ramsey	Webb
Ellsworth	Kelly, Pa.	Rankin	Wilson, Ill.
Estopinal	Kettner	Reed	Wilson, Tex.
Evans	Kless, Pa.	Riordan	Winslow
Fairchild, B. L.	King	Robinson	Zihlman
Fairchild, G. W.	Kreider	Rose	
Ferris	La Follette	Rowe	
Fields	La Guardia	Rowland	

The committee rose, and the Speaker resumed the chair amid prolonged applause; Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the bill H. R. 11259 and finding itself without quorum, he directed the roll to be called, whereupon 238 Members answered to their names, a quorum, and he handed in the list of absentees for printing in the RECORD.

The SPEAKER. Gentlemen of the House of Representatives, I am glad that you indorse the action I took about whether I should stay here or go to the Senate. [Applause.] Of course, to be a Senator from Missouri is a great honor. No State in the Union has ever had a higher average of senatorial ability than that displayed by the double line of Senators from Missouri. Several of them were great men, all of them were good men, and only one or two of them could by any possibility be considered small men. The tender of the Senatorship by Gov. Gardner presented to me the most serious question that has ever arisen

in my life from a political standpoint. The enormous amount of solicitation that I received from Missouri, which I love so well, compelled me in the very nature of things to consider it, and to consider it thoroughly, because the offer of a Senatorship from that imperial Commonwealth could not be regarded lightly by any of her sons. The generous conduct of the Republicans in the House would have made it easier for me to take the Senatorship than if they had not so acted, and I want publicly to thank them not only for suspending the rules, at the request of Mr. GILLETT, to permit me to attend Senator STONE's funeral, but also for the tender they made yesterday morning as to the Speakership.

I gave the matter consideration for two days and nights. I left out of it as far as was humanly possible my own political fortunes. The only question in my mind was where lay my duty to my country. [Applause.] Duty is the sublimest word in our vernacular, and I am proud to say that every Member of this House is a patriot according to his lights and is honestly striving to discharge his full duty to his country. In this exigency of our affairs—indeed, of the affairs of the whole world—it is the supreme duty of every citizen to do everything he can to uphold the hands of the administration and the glory of his country, and he ought to be in the place where he can do the most good. That was what I had to consider. I finally decided that on account of the affection and esteem so often manifested to me by the entire House of Representatives, without a man missing, Democrats, Republicans, and Independents, my duty is here. There is a House habit and a Senate habit, very different in their nature and character. I am thoroughly saturated with the House habit. I might become so thoroughly ingrained with the Senate habit. As far as the personal phase of it is concerned, this has been the scene of my great activities for a quarter of a century. Here I have experienced both defeats and victories. Service in this House does not always give you victory. You have to accept the fortunes of war. Whatever reputation I have in the world I achieved on the floor of the House of Representatives, and if I were to live a million years the manifestation of esteem and affection of this House bestowed on me so often would not be forgotten. They are enshrined in my heart forever. So I made up my mind to stay with you, and we will all fight this war out together—to victory, I hope and believe. [Prolonged applause.]

By unanimous consent, at the request of Mr. BARKLEY, the following telegram from the governor of Missouri tendering the Speaker the Senatorship and a copy of the Speaker's reply thereto are inserted at this point:

JEFFERSON CITY, Mo., April 24, 1918.

HON. CHAMP CLARK,
Congress Hall, Washington, D. C.:

I have the honor of tendering to you the appointment as Senator to fill the vacancy caused by the death of Senator STONE. I hope to hear early advice of your acceptance.

FREDERICK D. GARDNER.

SPEAKER CLARK'S LETTER.

WASHINGTON, D. C., April 26, 1918.

HON. FREDERICK D. GARDNER,
Jefferson City, Mo.

MY DEAR GOV. GARDNER: I am profoundly grateful for your tender of the Senatorship, for your good opinion thus evidenced is highly prized by me. To be a Senator from the imperial Commonwealth of Missouri is a signal honor. No State in the Union has furnished the country a line of Senators of higher average ability than has Missouri. Therefore a Senatorship at her hands is a position not to be declined lightly by any man.

The duty of selecting from a multitude of able men a worthy successor to the great Senator STONE placed you in a serious situation and your offer to me put me in a serious position. I have thoroughly considered my duty in the premises, leaving out of the consideration my own personal fortunes as far as was humanly possible, and have come to this conclusion:

In this awful crisis of our country's affairs—indeed, of the whole world's affairs—it is the imperative duty of every man to serve the people and uphold the Government to the best of his ability and in the position where he can do the most good. I believe that I can render more service in the Speaker's chair than in the Senate. Therefore I feel constrained to decline your tender of the Senatorship, heartily thanking you and the many Missourians who have urged me to accept.

CHAMP CLARK.

The committee resumed its session.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto be now closed.

Mr. ROBBINS. Mr. Chairman, I hope the gentleman will not insist upon that. I would like to say a word in opposition to this proposed amendment after the gentleman from Massachusetts [Mr. GILLETT] is through.

Mr. GILLETT. Mr. Chairman, I do not remember exactly what I was discussing when I was taken off my feet by the roll call and it is rather hard to turn from the most interesting remarks of the Speaker of this House to the discussion of this bill, but it may not be improper for me just to say that I have

such a regard and esteem and affection for the Speaker that for one I am delighted that he has decided to stay with us [applause], and I am sure all of us on this side give full credit and admiration to the patriotic motives which we believe determined his choice and are very glad that he is not going to desert us. [Applause.]

Now, turning, Mr. Chairman, to the somewhat partisan matter which is rather out of line with those remarks, I do not see any reason at all for the clause which exempts the employees from civil service except one, and that is that they can be appointed for partisan-patronage purposes. Except for that one purpose there is no reason at all that this clause should be in there because, as the gentleman from Pennsylvania said, the rule now adopted by the Civil Service Commission exactly provides for those cases and allows exemptions to be made for the very class of men that the chairman of the committee says it is intended to exclude; and for all the rest, the clerks, they ought to be under the civil service. Now, I do not suppose that every official appoints men simply for patronage purposes. I do not believe that even if this amendment is defeated every man who was appointed would be a deserving Democrat. Some officials undoubtedly will prefer to have an efficient force rather than to please Congressmen or political bosses; but the only reason for this clause in the bill is to allow patronage, to allow men to be appointed simply because they are deserving Democrats, because the Civil Service Commission can provide for all places that are necessary, and, moreover, the President has absolutely the power to exempt a class or person. Now, formerly, I did not believe that specialists, chemists, scientific men, could be well selected by civil-service examinations, although I have always sincerely believed in the principle, but little by little experience has shown that there are very few classes of employees, no matter how great their technical skill, who can not be selected by examinations provided by the Civil Service Commission, and the experience we have gone through shows that the men who are being employed under this law might better be selected by the civil-service law.

So there is but one reason; and, as I say, I think the exceptions which have been made in law after law can have had only one purpose, and that is the purpose of reverting back to the old spoils practice, and no longer have merit instead of partisanship determine appointment to office. Therefore, in this time of war it is peculiarly ungenerous, it seems to me, as well as unwise to put in this bill a clause which will allow employees to be appointed for partisan reasons. The amendment which my friend from Minnesota has offered in a certain measure is better, of course, than the original bill, but I do not believe even that is necessary. I believe the Civil Service Commission and the President together can absolutely prevent any harm which the gentleman from Illinois portends if we strike out that provision, and therefore it seems to me the whole clause ought to be stricken out and let these new appointments be made under the general law.

Mr. FOSTER. Mr. Chairman, I would like to close debate on this. I am not making any fight. I thought the amendment of the gentleman from Minnesota would cure all objection anybody had to that.

Mr. FESS. I would like some time.

Mr. FOSTER. How much time would the gentleman like? I would like to close it up.

Mr. FESS. I would like five minutes. I had hoped to have 10 minutes, but I will take 5 minutes.

Mr. FOSTER. Mr. Chairman, I ask that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that all debate on this section and all amendments thereto close in five minutes. Is there objection?

Mr. ROBBINS. Will the gentleman give me two minutes?

Mr. FOSTER. The gentleman has had time.

Mr. ROBBINS. But so much of my time was taken up by questions; the gentleman took up half my time asking questions.

The CHAIRMAN. Is there objection to the request of seven minutes?

Mr. MILLER of Minnesota. Mr. Chairman, reserving the right to object, I have not used any time at all—

Mr. ROBBINS. Mr. Chairman, I will withdraw my request.

Mr. MILLER of Minnesota. And if the gentleman from Pennsylvania has time, I would like some.

Mr. ROBBINS. I do not care for time; I will not bother with it, and I withdraw my request for time.

The CHAIRMAN. Is there objection to the request for five minutes? [After a pause.] The Chair hears none.

Mr. FESS. Mr. Chairman, I was interested in the statement of the gentleman from Pennsylvania when he discussed his amendment that this assault on the merit system proposed as a

part of this legislation was the beginning of the breakdown of the civil service. Had he but reviewed legislation since the Democrats took control of the Government, he would not have been so mild in his statement. I would like to call the attention of my friend to the fact that the first law of this administration of which I have any note that began the assault upon the merit system which definitely points to the breakdown of the civil service was June 20, 1913, referring to the Supervising Architect's Office, which exempted from the classified service employees in connection with plans, specifications, and construction of the central heating plant. The second one was October 3, 1913, the famous Underwood bill, in which the agents, deputy collectors, inspectors, and employees of the Government to be employed in the income-tax law were exempted by legislative act of this Congress. A third law was enacted October 22, 1913, only three weeks later, which provided for an army of deputy collectors and internal-revenue officers and deputy marshals, and broke the shield of protection of the merit system by opening up the crib for the hungry spoilsmen. December 23, 1913, another loudly heralded Democratic measure was made law, and provided through another assault upon the merit system that the employees in the Federal reserve act were exempt from the operation of the civil-service regulations by a specific clause in the Federal reserve law. Mr. Chairman, this law was the fourth measure, being all the measures of consequence in 1913 which made special exceptions to the civil-service regulations. Half of them were leading administration measures, upon which the Democrats were willing to stand before the country. Two were made riders to appropriation bills, which indicates the hunger of the spoilsmen now in control of the country. July 16, 1914, another law was enacted, which exempted the commercial attachés of the Department of Labor from the operations of the merit system. This was another rider attached to an appropriation bill. On August 1, 1914, the commissioner of immigration's office, New Orleans, also was exempted from the operations of the law; also on the same date the Five Civilized Indian Tribes were exempted by a rider to an appropriation bill.

The CHAIRMAN. The committee will be in order.

Mr. FESS. I am quite aware that our Democratic friends do not care to hear a recital of these acts. But they are the list of which this assault is but one, and I have no doubt that many others are to come.

The CHAIRMAN. The gentleman will pause for a moment, in order to enable the Chair to secure order, so that his recital may be heard.

Mr. FESS. I thank the Chairman. September 26, 1914, another of the President's program of legislation was made law—the Federal Interstate Trade Commission—which exempted the clerks and the various appointees under that law from the merit system and opened them to the hungry horde. This was the fourth assault in 1914, the second year of Democratic rule. January 28, 1915, the Life-Saving Service was exempted from the operations of the law.

I think that that probably is justified. Therefore I am not making any opposition to that. I am frank to admit that I am not averse to exercising personal selection where special discipline must be had. For that reason I am not insistent the civil-service regulations must be observed in all military or naval appointments. However, I would not allow them to be prostituted as spoils.

The rural credits bill exempted the appointees from the operations of the merit law, and it slipped in another provision that will indicate the tendency of the legislation during this Democratic administration. I want it noted. I quote the provision:

Also such attorneys, experts, assistants, clerks, laborers, and other employees and all registrars, examiners, and appraisers shall be appointed without regard to the provisions of the act of January 16, 1883, and amendments thereto or any rule or regulation made in pursuance thereof.

That is the general provision. Now note this language with special attention to the dominant emphasis of the party now in power to seize and hold the offices:

Provided, That nothing herein shall prevent the President from placing said employees in the classified service.

That is a wonderfully suggestive feature of the law. You repeal the civil-service law in order to get the spoils seekers in, and then you cover them into the civil service after you have gotten them in, so that they can not be gotten out. Now, that is the law. For the first two years assaults got no further than removing the barriers against Democratic preferment upon the claim that "I won the place and I demand it as a victor." These assaults became so common that they were regarded the rule of Democratic legislation. The third year began the effort to cover the victors with Executive favor.

The same thing in the Shipping Board; the same general rule will be observed in nearly all the laws that we have passed in

1916 and 1917. It is not necessary to enumerate them. I have been sufficiently specific to establish the policy of the Democratic administration since 1913, its first year of control; and so when my friend from Pennsylvania [Mr. ROBBINS] suggests that this proposed law now before us is the beginning of the breakdown of the civil service, I wanted to simply call his attention to the fact that it is pretty nearly the end of the breakdown of the civil service. If there is any real assurance to the public that the merit system has any friend in the party in power it does not occur in legislation, but quite the contrary.

Gentlemen, I am really intent in my sympathy for the maintenance of the civil service in its real meaning, and my opposition is to these repeated assaults which augur no good but much harm to the public service; and while I do not care at this time to make statements that would indicate a partisan spirit, I can not refrain from calling attention to the evident and conclusive purposes of these onslaughts on the civil service as this law here makes.

One of the most indefensible practices of the genuine spoilsmen is to persist in a belief in the merit system as a political theory, but urge its abandonment in practice as it applies to technical or expert skill. I am somewhat in sympathy with the idea that for a certain kind of skill a personal selection might be better than by competitive examination. But in practice this exception is abused and is apt to be employed as an open door to invite the spoilsman into his own on the claim of expert ability. This is on a par with the vicious practice of recommending the three highest in order that partisan preferment can be practiced without an open violation of the letter of the law, when we all know it is a violation of its spirit.

Mr. Chairman, I am in favor of the amendment which seeks to preserve the merit system. If the bill as written—which is but a copy of all major legislation of the Democratic Party on this practice, notwithstanding their promise in platform and forum—is not amended, it will be but another bludgeon hurled against our efforts to establish and maintain a high degree of public service through the merit system.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

The gentleman from Pennsylvania [Mr. ROBBINS] has moved to strike out certain language in the bill. The gentleman from Minnesota [Mr. MILLER] moves to amend the language proposed to be stricken out. That is a preferential motion and will be voted on first.

Mr. ROBBINS. May we have the language repeated again?

The CHAIRMAN. The language proposed to be stricken out or the language as proposed to be amended?

Mr. ROBBINS. The whole matter.

The CHAIRMAN. Without objection, the Clerk will report the amendment of the gentleman from Pennsylvania [Mr. ROBBINS].

The Clerk read as follows:

Amendment offered by Mr. ROBBINS: Page 3, line 6, after the word "funds," strike out the balance of the paragraph, which reads as follows:

"Any person may be employed under the provisions of this act without reference to civil-service laws and regulations."

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Minnesota [Mr. MILLER].

The Clerk read as follows:

Amendment offered by Mr. MILLER of Minnesota: Page 3, line 6, after the word "employed," insert: "For technical or scientific work," so that the sentence as amended will read as follows:

"Any person may be employed for technical or scientific work under the provisions of this act without reference to civil-service laws and regulations."

The CHAIRMAN. The question is on the perfecting amendment of the gentleman from Minnesota.

Mr. GILLETTE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GILLETTE. As I understand it, this amendment of the gentleman from Minnesota perfects not, of course, the amendment of the gentleman from Pennsylvania [Mr. ROBBINS], but perfects the text of the bill?

The CHAIRMAN. It perfects the text of the bill.

The question is on the amendment of the gentleman from Minnesota [Mr. MILLER].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Pennsylvania [Mr. ROBBINS] to strike out the sentence referred to.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. FOSTER. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 53, noes 47.

So the amendment was agreed to.

The Clerk read as follows:

Sec. 3. That no person acting either as a voluntary or paid agent or employee of the United States in any capacity, including an advisory capacity, shall solicit, induce, or attempt to induce, any person or officer authorized to execute or to direct the execution of contracts on behalf of the United States, to make any contract or give any order for the furnishing to the United States of any necessities or other property covered by the provisions of this act, if such agent or employee has any pecuniary interest in such contract or order, or if he or any firm of which he is a member, or corporation, joint-stock company, or association of which he is an officer or stockholder, or in the pecuniary profits of which he is directly or indirectly interested, shall be a party thereto. Nor shall any such agent or employee make, or permit any committee or other body of which he is a member to make, or participate in making, any recommendation concerning such contract or order to any council, board, or commission of the United States, or to any member or subordinate thereof, without making to the best of his knowledge and belief a full and complete disclosure in writing to such council, board, commission, or subordinate of any and every pecuniary interest which he may have in such contract or order and of his interest in any firm, corporation, company, or association being a party thereto. Nor shall he participate in the awarding of such contract or giving such order. Any willful violation of any of the provisions of this section shall be punishable by a fine of not more than \$10,000, or by imprisonment of not more than five years, or both: *Provided*, That the provisions of this section shall not change, alter, or repeal section 41 of chapter 321, Thirty-fifth Statutes at Large.

Any agent or employee of the United States who, contrary to the provisions of this section, shall receive any profit or profits from any contract for necessities made under the provisions of this act, or any firm of which such agent or employee is a member or any corporation, joint-stock company, or association of which such agent or employee is an officer or stockholder or in the pecuniary profits of which he is directly or indirectly interested, which, contrary to the provision of this section, shall receive any profits from any contract for necessities or for other property taken for the purpose of obtaining necessities under the provisions of this act, shall forfeit to the United States all such profits and the same may be recovered by the United States in any appropriate action at law or equity in any proper district court any time within five years after fact of such interest shall be discovered.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Will the gentleman from Illinois [Mr. FOSTER], the chairman of the committee, state what this section of the Statutes at Large is that is not repealed by the provision?

Mr. FOSTER. I will leave that to the lawyers. They know more about that than I do.

Mr. WALSH. I do not quite remember what section 41 is. I have a dim idea of what section 40 might be.

Mr. SANDERS of Indiana. It is the general provision of the Criminal Code forbidding a Government agent dealing with anything in which he has an interest.

Mr. WALSH. If that is the statute, would not it apply to officers, agents, and employees, or members or employees of any board created under this act?

Mr. ANDERSON. If I remember correctly, the section of the Statutes at Large referred to is limited to officers and employees, while there will be under this law, I take it, advisory boards and others who are not acting in the capacities to which the particular provision referred to is limited.

Mr. WALSH. Yes; there certainly will be advisory boards under this act, and lots of other kinds of members.

Mr. BRITTEN. Mr. Chairman, I move to strike out the last word.

I observed in this morning's CONGRESSIONAL RECORD, Mr. Chairman, in the remarks of the gentleman from Pennsylvania [Mr. MORIN] on yesterday, on page 5636, he has inserted a statement obtained from The Adjutant General of the Army, showing 60,357 commissioned officers in the various corps of the Army, of which less than 4,200 are in the District of Columbia. Of these 4,200 employees, 3,100 are in three bureaus, the Ordnance, the Signal Corps, and the Medical Corps; those in the Medical Corps, of course, all being doctors; that is, 99 per cent of them are physicians.

This insertion in the RECORD rather refutes the various newspaper statements and statements on the floor of the House here and at the other end of the Capitol that the town is crowded with reserve commissioned officers. I took it upon myself to make an investigation, purely to learn if a lot of these fellows are deserving of being called "bomb-proof officers," "slackers," "sickers," and other characterizations that really are not deserved from my point of view, and I am satisfied that the House will agree with me after hearing my observations.

In the Bureau of Ordnance they have the procurement division. The procurement division will probably spend \$4,000,000,000 this year. Think of it! A new division, unheard of a short time ago, will expend \$4,000,000,000 this year. Now, is it not perfectly natural that the War Department will want the very highest type of men for commissions in that division?

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes; for a question.

Mr. KEATING. Does the gentleman feel that the very highest type of men for that particular kind of work may be found within the draft age?

Mr. BRITTEN. No; I do not.

Mr. KEATING. That is the objection that Congressmen are making, as I understand, that you are not getting the highest kind.

Mr. BRITTEN. If that were true, the fault lies entirely with the superior officers directing matters rather than with those who are assigned here.

The enormous volume of administrative work in Washington must be done by some one, and it should be done by American soldiers and naval officers. For a great deal of this work younger men are needed to give efficiency to the organization, just as they are needed in other great business organizations.

Some Members of Congress seem to have forgotten that these men, young and old, are doing the most important work of the war, which is to maintain the line of communication 3,000 miles across the Atlantic. They are doing the same work here that is being done in London and Paris, and by the staff officers behind the trenches, who are maintaining the lines of communication over there.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. MONDELL. Does the gentleman think it necessary, in order that these gentlemen may furnish the most expert service, that they should wear a uniform and the insignia of the fighting men?

Mr. BRITTEN. Yes; they certainly should wear the uniform. The uniform is not so distasteful to me as it is to some people.

Mr. MONDELL. Oh, the uniform is not distasteful to any patriotic citizen, but no one wants the uniform to be cheapened by being worn by men who do not plan or purpose or expect to fight or do anything in connection with fighting. [Applause.]

Mr. BRITTEN. The gentleman is entirely in error. If you are going to criticize the young men as well as the old men who come to Washington, you should criticize their superior officers who bring them here.

Do not criticize the men who wear the uniform. Criticize the superior officers over them. They bring them here from Chicago and elsewhere throughout the country because of the particular abilities that they have. They want to go to the front, and in many instances plead to go, and the superior officers say, "No; you can not go, because we need you particularly here." Do not blame them for being here. I know that in this one division, the Procurement Division of the Ordnance Bureau, the salaries of men now wearing the uniform before they were commissioned were more than \$800,000 in the aggregate, and their salaries from the Government now are less than \$60,000 a year for all of them combined.

There has been a demand for efficient management in Washington. The administrative machinery has been improved by the process whereby civilians were drawn into the military service. There may be a few isolated instances where officers are doing clerical work, but they are few and far between.

Army men are paid poorly. Nearly all those who have entered the service recently are getting much less money than they earned in private life. They would not work for the War Department if their employment were to be stigmatized. They would not have come here if calls for them had not been issued and published far and wide.

Mr. FESS. Mr. Chairman, will the gentleman yield there?

Mr. BRITTEN. Yes.

Mr. FESS. Has my friend made an investigation as to the number of those in uniform that are not noncombatants who may be sent to the line at any time?

Mr. BRITTEN. All of the Staff Corps are supposed to be noncombatants, yet some of them are this very moment in the front-line trenches.

Mr. FESS. Yes. Is it not true that those who are not noncombatants are subject to being sent away?

Mr. BRITTEN. Yes. They may go to-morrow or next week or next month. We are keeping a line of communication open 3,000 miles from here to the trenches. We have presidents of steel companies and presidents of other great corporations working here at a nominal salary of \$2,000 or \$3,000 a year because of their expert knowledge in a particular direction, at a personal sacrifice to themselves. The appearance here of my colleague from Illinois [Mr. McKENZIE] recalls one that I have in mind, Benjamin Carpenter, of the house of George B. Carpenter, a house known all the world over for its tentage and cord. Benjamin Carpenter left his business to come here at the urgent request of his Government to assist in the purchase of tentage, cotton duck, and cordage at a salary of probably \$3,600 a year and a commission of captain. Probably before he left Chicago his salary was \$30,000 a year. That type of men make up the reserve officers in the District of Columbia.

The impression has been created that there are many thousands of officers in the Ordnance Department. The following

is an accurate comparison of the status of the personnel of the various divisions on March 3.

The total personnel of the Ordnance Department located in Washington is 9,091, of which only 1,999 are commissioned, 1,238 are enlisted, and 5,855 are civilian employees. Of the latter two-thirds are women.

PROCUREMENT DIVISION.

The Procurement Division of the Ordnance Department is the third largest division of the Ordnance Department. It consists of 240 officers, 134 enlisted men, and 888 civilian employees, making a total of 1,212. The officers are divided as follows: One colonel, 6 lieutenant colonels, 19 majors, 77 captains, 97 first lieutenants, and 50 second lieutenants.

THE TASK OF THE PROCUREMENT DIVISION.

This division, it is estimated, will probably expend in the next year between \$3,500,000,000 and \$4,000,000,000. It is hard to realize what this means, but when one considers that there are very few business organizations in this country that turn over \$100,000,000 a year, and that the Procurement Division of the Ordnance Department is handling forty times that amount in a year, we can realize the task which is theirs to perform.

It is safe to say that if a private organization doing such an enormous business did exist, that its personnel would be several times larger than that of the Ordnance Department.

OFFERED COMMISSIONS.

The commissioned personnel of the Ordnance Department has been selected with the greatest possible care. Men have been selected from almost every industry in the country because of their high reputation as authorities in their particular line of work. These men, in almost every case, received a telegram from the War Department requesting them to come to Washington, where they were offered commissions.

There are hundreds of cases among the 2,000 officers in the Ordnance Department in Washington where the first intimation that the officer had of his likelihood of securing a commission was when he appeared in Washington in response to this telegram and was urged to accept a commission.

DIFFICULTY OF SECURING COMPETENT OFFICERS.

The Ordnance Department will need, before this war is over, many times the officers and civilian employees that it now has, and if we allow this branch of the service to be cheapened in the eyes of the public by the undeserved criticism which it has received, we will find it increasingly more difficult each day to secure the type of men which will be so vitally needed. The morale of the department has already been seriously affected by the adverse criticism. Officers who sacrificed everything to comply with the Government's request for their services are beginning to feel ashamed of being attached to an organization which received such unjustified comment from the public.

TYPE OF OFFICERS SECURED.

As an illustration of the type of men that have been secured, I have a list of 25 captains and majors of the Procurement Division, whose names were taken at random. It was found that the combined salaries from the business that they were actively engaged in before the war was \$855,000 per year. These men are to-day working for the Government for from \$2,400 to \$3,000 a year each, or a total of less than \$60,000.

NOT LIABLE FOR DRAFT.

It is quite true that many officers in the Ordnance Department are within the draft age, but a very small percentage of this total would be liable for service under the present draft rules.

The Procurement Division will serve as a good illustration of this, as it is the third largest in the Ordnance Department. Of the 240 officers in this division at the present time, 109 are within the draft age, and of this number 43 are unmarried. In other words, 17.9 per cent of the organization are in class A1. But this small percentage eligible for service in the field were in the deferred classes, which would not be called for some time, or they would not have been accepted for commission.

TRAINING CAMP MEN.

It should not be forgotten that the Training Camps Association advertised widely through the newspapers for men to attend the Plattsburg training camps, and these men were promised commissions providing they attended camp and passed their examinations. When it was found, at the close of the second camp, that there were not enough vacancies in the line for one-half of the men that should receive commissions the administration was the recipient of the severest criticism for inducing patriotically inclined men to sacrifice their business and everything of value to them to go into the camp and work for three months and then be turned down. An inestimable amount of trouble for the department was averted by foisting the train-

ing-camp officers on the Signal Corps, Ordnance and Quartermaster Departments. Representative officers attended all of these camps throughout the country begging the men to take commissions in the noncombatant branches of the service, and the Personnel Division is receiving every day letters requesting overseas service from these men who sacrificed their business and positions to go into the line and were detailed to Washington.

DANGER OF DISRUPTING ORGANIZATION.

The Production Divisions of the Ordnance and the Quartermaster Departments and the Production Division of the Aviation Corps are the very foundations of our fighting machine. If these departments are disrupted and disorganized by breaking up their personnel at the present time, our fighting machine would be helpless.

MEN PROMINENT IN CIVIL LIFE.

The following is a list of prominent officers connected with the Ordnance Department:

Col. Samuel McRoberts, Chief of the Procurement Division, is well known as the vice president of the United States Chamber of Commerce and the executive manager of the National City Bank of New York. He is well known as having been actively engaged in the purchasing for the British and French Governments since the beginning of the war. His experience in this work is inestimable.

Lieut. Col. C. N. Black, formerly of the firm of Ford, Bacon & Davis, was one of the principal aids to Mr. Stettinius in negotiating the purchase of British munitions.

Lieut. Col. R. P. Lamont was formerly president of the American Steel Foundry Co., of Chicago, and has already made himself almost invaluable.

Lieut. Col. W. Williams was commissioner of immigration of New York City.

Senator C. W. Watson, of West Virginia, who has just been appointed lieutenant colonel and assistant to Col. McRoberts, is well known.

Col. G. E. Tripp, chairman of the board of directors of the Westinghouse Electric & Manufacturing Co., at a salary in excess of \$100,000 a year, is now Chief of the Production Division.

Lieut. Col. W. P. Barber was for some time vice president of the Midvale Steel Co.

Lieut. Col. Hunt, prior to entering the service, was assistant to the vice president of the American Locomotive Co., at a salary of not less than \$40,000 a year.

And so on down the line.

Maj. J. G. Scrugham was previously State engineer of Nevada.

Capt. William H. Gelshenen, of the raw-materials section of the Ordnance Department, received a salary in excess of \$100,000 a year.

Capt. G. C. Pierce had the reputation of being the best business executive in the State of Florida.

Maj. H. H. Lehman, of Lehman Bros., bankers, of New York City, in charge of the equipment section, is unquestionably one of the finest experts on textiles in this country.

Col. John R. Simpson, now an assistant to Gen. Wheeler and formerly chief of the procurement section, was vice president of Filene & Co., of Boston, one of the largest dry goods concerns in New England.

Maj. Kirk Askew, of the Engineering Bureau, design section, was the head of the Askew Saddlery Co., of Kansas City.

Maj. Bashford Dean, curator of the Metropolitan Museum, devoting his time to the designing of the steel helmets and armor, is considered one of the greatest experts on arms and armor in the world.

Maj. W. A. Starrett, formerly of Thompson, Starrett & Co., of New York, is now Chief of the Construction Division of the Quartermaster Department.

I have already mentioned Capt. Benj. Carpenter, who was enrolled in the Quartermaster Corps in January, 1917, when he was the manager of George B. Carpenter & Co., of Chicago, where he had spent the best part of his life as an expert in cotton duck, tentage, cordage, and so forth. Capt. Walter Goodwillie was an expert in box manufacture, lumber, and so forth.

Such men as these can not be selected easily, and they will be increasingly harder to secure if the Ordnance Department continues to receive the adverse criticism which it has.

THE BRITISH ORGANIZATION.

The British organization is entirely different to ours. They have a ministry of munitions, which is principally civilian, employing 16,331 people, of whom 9,444 are women. Their percentage of female employees is not greater than ours.

The army ordnance corps are entirely commissioned, as is also the case with the war-office staff, which is considerably larger in its scope and duties than our General Staff and employs a very much larger personnel.

The commissioned officers attached to the ministry of munitions and army ordnance corps and the war-office staff is in excess of the number of officers attached to the Ordnance and Quartermaster Departments and the flying corps in this country.

A word should be said for many of the younger officers. Many of these men, failing to withstand the hardships of camp life, for which they were not sufficiently strong, or failing to gain admission to the second camp, volunteered for service and came to Washington for the Ordnance Reserve Corps.

It is not generally known, as the exodus has been very gradual, but many officers from the Ordnance Department have already been sent overseas or have received their orders to do so.

At the present time many ordnance officers lately in Washington are taking a special course of scientific training at the arsenals for the special purpose of being detailed for the field army overseas as soon as possible.

Eventually there will be more than twice as many Ordnance officers in France as there are now in Washington. In fact, Gen. Pershing's estimates are far in excess of this number. It will take 2,000 officers to handle the enlisted personnel of the supply division in the field alone. The casualty list in this branch of the service will consequently undoubtedly be heavy. In fact, the British do not consider the ordnance department a noncombatant branch of the service.

The following method has been pursued in selecting officers from among those who have volunteered for service:

The applicant for commission is first interviewed by the personnel officer who looks over his list of recommendations which he brings and inquires further into his training and his knowledge of a special subject important in the procurement of ordnance material. Then, referring to the list of assistants required for special work by the chiefs of sections, the personnel officer directs the applicant to see the officer whom he believes could make the best use of his qualifications.

Providing that he is believed to be satisfactory by this officer to whom he has been sent, an indorsement to that effect is sent back to the personnel officer with the applicant.

If his qualifications are not sufficient to warrant his being commissioned, he is immediately turned down. If satisfactory, he is recommended by the division personnel officer to the ordnance personnel section for commission with a certain specified rank, to be detailed to the section requiring his services.

The next step after he has been approved for a certain position is to send him before the medical board for examination. After which, if the physical examination is successfully passed, his papers are indorsed to that effect, and he is sent to the military board which convenes at certain times for the purpose of questioning and examining the applicant for commission. This is an intimate verbal examination which goes into the education, training in business of the applicant, the salary that he has received, the experience that he has had with the subject on which he is to work, his age, and the general personality and appearances which are required of an officer in the United States Army.

It is an extremely rare thing for a man to be commissioned in the grade as high as major, and among these few it is safe to say that they are in every case elderly men who have controlled large business interests in private life and whose pay from the Government as major would not in most cases be more than 10 or 15 per cent of the salaries which they have received from the concerns with which they were connected.

Comparison of present status of personnel of the various bureaus and divisions under ordnance.

[As of Mar. 3, 1918. No material changes since then.]

	Commissioned.	Enlisted.	Civilian.	Civilian in draft age.	Total.
Total.....	1,998	1,238	5,855	9,091
General Administration Bureau..	181	232	1,085	180	1,498
Control Bureau.....	137	110	310	557
Engineering Bureau.....	553	307	1,449	2,309
Procurement Division.....	240	134	838	182	1,212
Production Division.....	280	63	616	108	967
Inspection Division.....	142	121	600	141	863
Supply Division.....	182	133	877	167	1,192
Nitrate Division.....	29	16	80	18	123
American Base Depot in France..	254	122	376

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BRITTEN. Mr. Chairman, may I have five minutes more? I realize that I am talking out of order.

Mr. HAMLIN. Reserving the right to object, Mr. Chairman, I do not like to object, but this is foreign to the matter which the committee is considering.

Mr. HAMILTON of Michigan. I think this is very important. I ask unanimous consent that the gentleman may have five minutes.

Mr. HAMLIN. I have no objection to the gentleman's having two minutes, but after that I shall object.

Mr. HAMILTON of Michigan. I ask unanimous consent that the gentleman may have five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the gentleman from Illinois may have five minutes. Is there objection?

Mr. HAMLIN. Mr. Chairman, I think that is trespassing upon the committee.

Mr. HAMILTON of Michigan. I think he will finish in five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BRITTEN. I will finish in five minutes.

My only desire is to call the attention of Congress to these facts. I have spent considerable time in looking up men from all parts of the country who have been commissioned here and who are doing wonderful work. Some of them are within the draft age and others are not, but the stigma attaches to all of them just as soon as they are criticized for being here as bomb-proof soldiers and slackers, and so forth.

If the men who are doing staff duty in Washington are to be called slackers, whether young or old, the administrative machinery will fail. Every young man needed here to perform the honorable tasks of war will feel that he should be permitted to go to the front. No one will want to be part of the Ordnance Department nor the Quartermaster's Department. If civilians take their places, the discipline will relax. Civilians can not be court-martialed for dereliction of duty, whereas the soldiers can be.

I think it is a shame to dishonor the men who are loyally serving their country by calling them slackers when they are doing merely what they have been asked to do; what they have been taught to believe was required of them; what they are willing to do, regardless of the sacrifice that is involved. We should do honor to the men who wear the uniform, whether in the dry, but necessary, staff work or on the battle field.

The marines are not slackers because they remain at home. God knows they have longed to get to France, and they are the best-trained fighters we have. Somebody somewhere has decided they must stay at home, and they must take their orders.

Mr. McKENZIE. Will the gentleman yield?

Mr. BRITTEN. I yield to my colleague.

Mr. McKENZIE. I just want to make a short statement and then ask a question. We all think of a soldier as a man who goes into places of danger. That is his profession. We think of the captain of industry as the man who looks after the production of the things necessary in time of peace and in time of war. Now I want to ask my colleague, without any word of criticism against these great captains of industry who are doing so much for our country now, if he does not believe that they could render just as efficient service in civilian clothes as they can in the uniform of a soldier? [Applause.]

Mr. BRITTEN. No; I do not agree with my colleague from Illinois, notwithstanding his great knowledge of military affairs and the important position he holds as a member of the Committee on Military Affairs of the House. I will say that if you took the uniform away from these very same men their efficiency would be lessened, discipline would be lost, and in case they did violate their oath of office, you could not try them by court-martial. They ought to be quickly tried by court-martial if they do anything wrong. They are in the military, and that is where they belong; and if they come here at great sacrifice to themselves and desire to wear the uniform, what objection is there to their wearing it? What difference does it make whether a man wears a brown khaki suit or a grey summer suit as long as he is performing a very valuable technical service to the Government and the Government needs him? If you are going to blame anyone, blame the Government; blame the Commander in Chief; blame the officers who bring these men here; but do not stigmatize the uniform and the man wearing it just because he

happens to be here in the reserve. He is willing to go to France. He wants to go. Let me call your attention to the figures. In the Bureau of Ordnance there are 9,091 employees. Only 1,900 of them are commissioned officers. Twelve hundred of them are enlisted men and 5,855 of them are civilians. A great majority of them are civilians. If a man from Chicago has expert knowledge and the Government wants him, they say to him, "We can not pay you a tenth of the salary you have been getting, but we will commission you a captain for service in the Army," and the man comes. It does not hurt him. On the contrary, it helps the country, and he will serve it just as willingly in France as here.

Mr. JAMES. Would he not come unless he got the uniform?

Mr. BRITTEN. No doubt he would; but his commission is in the interest of efficiency, discipline, and economy.

Mr. MILLER of Minnesota. I agree heartily with the gentleman that these men who are performing distinctive military service ought to be wearing the military uniform. Now, suppose the opportunity was given to these officers in Washington to go to France if they desired to do so; how many of them would be left here?

Mr. BRITTEN. I should say that less than 10 per cent might be left here and 90 per cent would go across as quickly as ships could carry them.

Mr. MILLER of Minnesota. There would not be 5 per cent left here.

Mr. BRITTEN. No; probably there would not be 1 per cent of them left here. They all want to go; but many must remain here to conduct this enormous supply problem if we are to be at all successful on the other side.

Mr. SHALLENBERGER. If you will observe the corps to which these different men are assigned, you will find that there is not a single infantryman or cavalryman or artilleryman in the line of the Army. If these men should go to France they would still serve in these noncombatant corps. None of them would be considered combatants, no matter where they would go.

Mr. BRITTEN. There is no question about that. Because of their superior technical knowledge they would still be back of the line.

Mr. SHALLENBERGER. The question is whether it is essential to give these men the uniform of the man who fights. The service uniform is made a special color for the purpose of protecting the man who has to go into battle. The objection is made here that these men are given the uniform of the fighting man, which is not necessary.

Mr. BRITTEN. Do not blame the man who wears the uniform, but blame his superior officers who gave it to him. The color of his uniform is no guide to his heroism or his desire to fight or his loyalty to his Government. He may be here to-day and in the very thick of the fight in 60 days from now.

Mr. WALSH. The gentleman spoke about breaking down the spirit of these men. Do I understand that if we do not quit criticizing these men they will leave these jobs and go to France?

Mr. BRITTEN. Many of them would like to use that as an excuse to get across quickly, if permitted.

Mr. WALSH. Why can they not stand a little criticism that people think is well founded? What is there different about these men which makes them unlike other men?

Mr. BRITTEN. The criticism is not well founded, and they are no different from any other brave American who is seeking to do his bit to the point of sacrificing his life if need be.

Mr. MILLER of Minnesota. It is unjust.

Mr. WALSH. There may be a difference of opinion about that.

Mr. GREEN of Iowa. With reference to these officers who have gone through the training camps and others who have been ordered here, is not the gentleman aware that many of these men have received these commissions with the understanding that they should not be sent out of Washington?

Mr. BRITTEN. No; that is not a correct statement.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. JOHNSON of Washington. Regular order, Mr. Chairman.

The CHAIRMAN. The regular order is demanded. The regular order is, Is there objection to the gentleman's request to extend his remarks?

There was no objection.

Mr. KEATING. Mr. Chairman, I move to strike out the last word. I desire to have read in my time a letter from the secretary of the Colorado Chapter of the American Mining Congress indorsing the principles of this bill. It is a measure that affects Colorado, and the men represented by these gentlemen are those who operate the mines that will be controlled under this bill.

The Clerk read as follows:

THE COLORADO METAL MINING ASSOCIATION,
COLORADO CHAPTER, AMERICAN MINING CONGRESS,
Denver, Colo., April 22, 1918.

HON. EDWARD KEATING,
House of Representatives, Washington, D. C.

DEAR SIR: Herewith find copy of resolution passed at a meeting of the principal Colorado producers of metals affected, which, so far as we know, appears to be the unanimous sentiment of mining men of this State who have investigated the proposed measure and whose operations will come under the provisions of H. R. 11259.

We ask your cooperation and support to the end of an early enactment of this bill.

Again expressing our appreciation of your effective work in behalf of the mining industry, I remain

Yours, very truly,

M. B. TOMBLIN, Secretary.

Resolution.

Resolved, That the Colorado Chapter of the American Mining Congress and the Colorado Metal Mining Association are in full accord with the purposes of the administration as outlined in the provisions of the bill proposed by the war-minerals committee to create an administration for the mineral industry and believe that important and much-desired results may be accomplished thereunder, but they trust that the powers conferred by section 12 will be so employed as will least disturb established enterprises and existing conditions, particularly those affecting labor.

As attested by the Federal Bureau of Mines, Colorado can greatly increase its output of manganese and pyrites as well as the rare minerals, tungsten, vanadium, and molybdenum. Adequate and stabilized prices as provided for in this bill will enable producers of this State to contribute a large proportion of the amount necessary to take the place of imported ores and minerals.

The mining men of Colorado herein express their desire to cooperate to the fullest extent with the Government in its efforts to increase the production of minerals necessary for the successful prosecution of the war and tender the facilities of their organization unreservedly to that end.

Adopted at a representative meeting of tungsten, molybdenum, pyrite, vanadium, and manganese producers of Colorado at a meeting held in Denver, April 2, 1918.

Mr. FOSTER. Mr. Chairman, I rise in opposition to the amendment. I want to ask the Clerk to read a letter from Secretary Lane, written to the gentleman from North Carolina [Mr. KITCHIN] on April 18, with reference to this bill.

Mr. JOHNSON of Washington. Is it a message to the House?

Mr. FOSTER. It is a letter written by Secretary Lane to the gentleman from North Carolina [Mr. KITCHIN].

Mr. JOHNSON of Washington. Intended to be a message to the House?

Mr. FOSTER. No; it is a letter to the majority leader, written to him as a Representative, and also a copy of the resolution by the New York section of the Mining and Metallurgical Society of America.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, April 18, 1918.

HON. CLAUDE KITCHIN,
House of Representatives.

DEAR MR. KITCHIN: A serious situation is developing with regard to war minerals, and to meet it I hope you may find it possible to give prompt consideration to H. R. 11259, which proposes means for stimulating local production and distributing to best advantage imported and domestic supplies. Many of these minerals are vital to winning the war as well as necessary to our national industries. The Shipping Board must, however, take tonnage which reduces our imports. To a large extent domestic supplies can be called out to meet the need, but this can not be done quickly enough by ordinary agencies since it takes time to open and equip mines.

It is proposed, so far as may be possible, to anticipate difficulties, and there are numerous acute wants already to be met. As it now stands there is no agency which has the means or authority to meet the situation quickly and efficiently, so it becomes necessary to ask Congress, busy as I know you all are, to create machinery through which the Executive may act.

If you will see that the matter is promptly taken up, it will make it just so much easier to avoid a most grave situation which is developing.

Cordially, yours,

FRANKLIN K. LANE.

Resolution of New York section of the Mining and Metallurgical Society of America.

Recognizing the extreme importance of the minerals administration bill now before Congress the President of the Mining and Metallurgical Society of America, on March 16, 1918, duly called a special meeting to be held in New York on April 18 for the purpose of discussing this bill and eliciting the opinion of the members. This meeting having been properly called, was convened immediately thereafter and the following resolution offered:

"Resolved, That it is the sense of this meeting that the general principles of this bill tend to further the efficiency of the Government in prosecuting the war while safeguarding the welfare of the mineral industry, and that this or a similar bill should be made a law, provided, however, that the products covered by said bill as passed shall include only such minerals and metals as are really required for war-emergency needs as are those specifically enumerated on page 2 of draft before this meeting, viz, H. R. 11259."

Mr. HAMLIN. Mr. Chairman, answering the inquiry of the gentleman from Massachusetts [Mr. WALSH] a few moments ago in regard to the reference in the bill in section 3 to section 41 of chapter 321, Thirty-fifth Statutes at Large, the bill provides that no one connected with the administration of this law, either as a firm or an individual, may be connected with any contract that may be made by reason of his position of

influence in the administration of the law. Of course, it was not intended to repeal section 41, which reads as follows:

Sec. 41. No officer or agent of any corporation, joint-stock company, or association, and no member or agent of any firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation, joint-stock company, association, or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation, joint-stock company, association, or firm. Whoever shall violate the provisions of this section shall be fined not more than \$2,000 and imprisoned not more than two years.

It was not the intention of the committee to repeal that sound provision of the general statute.

Mr. WALSH. Will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. WALSH. The gentleman would not contend that section 41 would be affected at all by the provisions of this bill?

Mr. HAMLIN. I do not believe that it would, and yet the framers of the bill wanted to be certain that this section of the statute would not be affected by the enactment of this law.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Sec. 4. That it is hereby made unlawful for any person, except as otherwise provided by this act, willfully to commit waste or willfully to permit preventable deterioration of any necessities in or in connection with their production, manufacture, or distribution; to hoard, as defined in section 6 of this act, any necessities; to monopolize or attempt to monopolize, either locally or generally, any necessities; to engage in any discriminatory and unfair or any deceptive or wasteful practice or device, or to make any unjust or unreasonable rate or charge, in handling or dealing in or with any necessities; to limit the facilities for transporting, producing, manufacturing, supplying, storing, or dealing in any necessities; to restrict the supply of any necessities; to restrict distribution of any necessities; to prevent, limit, or lessen the manufacture or production of any necessities in order to enhance the price thereof; to exact excessive prices for any necessities; or to conspire, confederate, agree, or arrange with any other person, or to aid or abet the doing of any act made unlawful by this section.

Mr. ANDERSON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 5, line 8, after the word "person," strike out "except as otherwise provided by this act."

Mr. ANDERSON. Mr. Chairman, I presume that this clause has some purpose. As it is inserted, the language in this section, except for this clause, is almost verbatim with the section contained in the food-control act.

I made the motion for the purpose of asking the chairman of the committee if under this act anywhere any person is authorized "to commit waste or willfully to permit preventable deterioration of any necessities in or in connection with the production, manufacture, or distribution; to hoard, to monopolize, or attempt to monopolize, either locally or generally, any necessities, or to engage in any discriminatory and unfair or any deceptive or wasteful practice." If this bill does authorize it, it ought not to.

Mr. FOSTER. It would not be unlawful for the Government to do it.

Mr. ANDERSON. The Government would not be affected by this language. The Government is not subject to criminal prosecution. So it strikes me that the chairman and the committee did not give to this section the consideration that they should have given to it. What is the purpose of putting in the words "except as otherwise provided by this act"?

Mr. HAMLIN. This section refers to section 6, which defines what is meant by hoarding.

Mr. ANDERSON. It specifically refers to it so that there is no necessity for these words.

Mr. HAMLIN. As I take it, the intention was not to make it unlawful for the Government to hoard and store these materials. Under certain conditions waste or depreciation might result from the storage of these minerals by the Government. I did not draft the bill, but that is the way I have construed that provision of it—that the words "except as otherwise provided in this act" had reference to the provision in the bill which provides that under certain conditions where there was an overproduction the Government, in order to protect its guaranty as to minimum price, might be compelled to store and hold until it could find a market for the materials.

Under this provision, anyone storing or hoarding the minerals at the direction and for the benefit of the Government could not be liable of a violation of this act.

Mr. ANDERSON. It empowers the Government to do these things. This particular section refers only to persons and imposes a criminal penalty on those who violate it. The Government is not subject to criminal penalty and would not do a thing unlawful. This is not a limitation on the Government activities at all and has no place in the bill and ought to go out.

Mr. HAMLIN. I think we will not object to the amendment. Mr. ANDERSON. While I am on my feet, I would like to call attention to one other thing.

Mr. HAMLIN. I made that suggestion with the idea that we can hurry on.

Mr. ANDERSON. You can. In line 23, the last word in the line is "confine." Obviously, it ought to be "combine."

Mr. FOSTER. That is correct, and I am glad the gentleman called attention to that.

Mr. ANDERSON. Mr. Chairman, I ask for a vote upon the amendment I offered.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent that the word "confine," line 23, page 5, be changed to "combine."

The CHAIRMAN. Without objection, the change indicated by the gentleman from Illinois will be made.

There was no objection.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I rise to make an inquiry of the members of the committee as to whether the committee gave any consideration to the question of the constitutionality of this section so far as it attempts to restrict the supply of these articles which are described as necessities, which may not be used in any way in connection with the activities of the Government in respect to war? This bill, as stated in section 1, defines "necessaries" as consisting of certain named minerals. The definition is not limited to those used by the Government only in its military activities, but it extends to all those minerals which may be used in private manufacture, independent of any connection with military activities on the part of the Government. In section 4 it is made a penal offense for any private manufacturer, regardless of whether the minerals are used or produced for the benefit of the Government, to restrict the supply. On what theory does the committee proceed that the Government under the war powers of Congress has the right to restrict the supply of the manufacturer or miner of minerals that are in no way used or to be used in military operations?

Mr. FOSTER. We propose here to punish him for doing these things which we declared to be unlawful.

Mr. STAFFORD. What right has the Government of the United States to control the activity of a private individual, even in war time, and under the vague powers of the Constitution known as the war powers in the supply of articles that are in no way to be used in connection with war activities?

Mr. FOSTER. We do not restrict him here.

Mr. STAFFORD. I direct the attention of the chairman of the committee to the language in lines 19 and 20, where you make it a penal offense to restrict the supply of any necessities, and going back to section 1 we find out what are those necessities—not articles used by the Government in war activities, but any of these articles named used in any way.

Mr. FOSTER. Of course, I am not a constitutional lawyer—I am not a lawyer at all—but I do not know anything in the Constitution that prohibits the Government from going out at any time and restricting these supplies.

Mr. STAFFORD. I do not think any person having the slightest knowledge of constitutional law would hold that this provision would be constitutional in peace times, or that we would have the right in war times to restrict the supply of some commodity described in section 1, which would be utilized other than for war purposes.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. TOWNER. Let me make this suggestion to the gentleman: Suppose that the supply of antimony or any other of the enumerated articles is limited. Suppose that the private consumer does hoard it, so that the supply for the necessary operations of the governmental activities is limited. Would not that be within the war power?

Mr. STAFFORD. But suppose that the supply of antimony is not limited, as has been testified to here, as to other named minerals. Suppose there is plenty of ferromanganese in the country, not only for the use of the Government in war activities but for use in private manufacturing. Does the gentleman mean to say, as a constitutional lawyer, that with ample supplies, not only for governmental but for other purposes, we could penalize a man for limiting the supply?

Mr. TOWNER. That, of course, is a pertinent question. The question then would be raised and would have to be determined by the Government, that as a matter of fact it was necessary that the supply should be prevented from being used in order to decrease the supply necessary for the Government.

Mr. STAFFORD. Yes; but this bill is not delimited in that respect, so that it only extends to the supply of those commodities which are necessary for carrying on war activities. It applies generally.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. LONDON. Is it not a principle of common law that society has the right to prevent the restriction of an article or the limitation or the monopolization of an article which is necessary for the community?

Mr. STAFFORD. I do not know that there is any fundamental principle of common law that enables this Congress, which is a body with limited powers, defined by the Constitution, to go to the extent we are saying we can go here. This authorization can only be justified under the war powers. Heretofore in following a policy of this character of legislation we have justified it on the ground of the commerce clause. The Sherman Antitrust Act is based upon the theory of regulating commerce. There is no such provision contained in this section limiting its effect to interstate shipments.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. The gentleman from New York is not yet through.

Mr. WALSH. I do not think either of the gentlemen ought to abuse the Constitution with such a small attendance of the committee here.

Mr. STAFFORD. While I am always willing for the watch dog of the RECORD to make a point of order, I will not yield for any other purpose. That is his privilege, but he can not take me off the floor in any other way.

Mr. LONDON. Laws to prevent the monopolization of food were enacted during the Middle Ages in England. Society had always attempted to try to protect itself against monopoly under the general-welfare clause and under the clause imposing the duty of providing for the public defense. I believe that the Congress has the power to prohibit the monopolization of any article which is essential to the welfare of the country at a particular time.

Mr. STAFFORD. The gentleman may go back into the Middle Ages for his authority, but he can find nothing in any decision in the Supreme Court, even based on the general-welfare clause of the Constitution, which would uphold that extreme position.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Mr. Chairman, I move to strike out the last word for the purpose of directing the attention of the chairman of the committee to the last phrase of this section. There must be a skip here, in my opinion. It says here:

To conspire, confine, agree, or arrange with any other person, or to aid or abet the doing of any act made unlawful by this section.

Now, does not that mean to conspire, combine, agree, or arrange with any other person to do the thing made unlawful by this section, or to aid or abet the doing thereof?

Mr. FOSTER. The matter has been called to my attention by the gentleman from Missouri, and that is a legal proposition.

Mr. HAMLIN. I will say I was about ready to offer an amendment.

Mr. WALSH. I did not know that, and the Clerk was about to read.

Mr. TOWNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TOWNER. I think action has not been taken on the amendment offered by the chairman of the committee to strike out the word "confine" and insert the word "combine."

The CHAIRMAN. The Chair stated to the committee without objection the change indicated by the gentleman from Illinois would be made, and there was no objection.

Mr. HAMLIN. Mr. Chairman, I offer an amendment to perfect the section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 24, after the word "person," insert "to do or perform any of the acts or things prohibited by this section."

The question was taken, and the amendment was agreed to.

Mr. FOSTER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. KITCHIN having assumed the chair as Speaker pro tempore, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11259 and had come to no resolution thereon.

Mr. BARKLEY. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman from Kentucky rise?

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent that immediately following the remarks of the Speaker earlier in the afternoon there be printed in the RECORD a copy of the telegram of the governor of Missouri offering him the Senatorship and also a copy of the Speaker's letter declining the same.

The SPEAKER pro tempore. The House has heard the request of the gentleman from Kentucky. Is there objection? [After a pause.] The Chair hears none.

PENSIONS.

Mr. SHERWOOD. Mr. Speaker, I move that the House proceed with the Private Calendar, and consider the bill H. R. 11063, an omnibus pension bill.

Mr. CANNON. And on the completion we will then adjourn, I take it.

Mr. RUSSELL. We will move to adjourn after that.

Mr. ROBBINS. Is this a general pension bill?

Mr. SHERWOOD. It is a general pension bill, and will not take over 10 minutes; it is a short bill.

The Clerk read as follows:

A bill (H. R. 11063) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The SPEAKER pro tempore. This is on the Private Calendar.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERWOOD. I ask that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will proceed to read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Silas D. Taylor, late of Company E, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Joseph K. Dixon, late of Company F, Fourteenth Regiment, and Company D, Battalion Fourteen, Kentucky Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Robert W. McWilliams, late of Company H, Twelfth Regiment, and Company C, Tenth Regiment, West Virginia Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of James H. Bowman, late of Company H, Fourth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William H. Stephenson, late of Company D, Thirty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Serelda Pargin, widow of David Pargin, late of Company I, Eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of George W. Conley, late of Company L, Seventh Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James West, late of Company A, One hundred and eleventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of George Williams, late of Company L, Thirteenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Fred Leick, late of the United States Navy, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The name of James Leming, late of Company I, One hundred and fifty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of George W. Adkins, late of Company C, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Frederick Willman, late of Company C, One hundred and thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John W. Amos, late of Company H, One hundred and fortieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Samuel Parker, late of Company E, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John W. Ramsen, late of Company B, One hundred and fifty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The name of Charles W. Brace, late of Company F, One hundred and eighteenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$25 per month.

The name of John Tuckerman, late of Company G, One hundred and eleventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Madison Ross, late of Company H, Fifty-sixth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Charles H. Mosher, late of Company G, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John G. Murray, late of Company K, Ninth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George B. Earll, late of Company D, Twenty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Enoch T. Leach, late of Company H, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Edward Durbin, late of Company H, First Regiment United States Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Green P. Gray, late of Company B, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jacob Ripley, alias James Rogers, late of the Fourth Independent Battery, Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of James Rutledge, late of Company A, Thirty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George Wilkins, late of Company A, Thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Othello A. Sherman, late of Company F, Twenty-eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William Rook, late of Company A, Fifty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William S. Evans, late of Company G, One hundred and thirty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sarah E. Vining, former widow of Jacob James, late of Company F, Osage County Missouri Home Guards, and pay her a pension at the rate of \$25 per month.

The name of Alvin D. Lane, late of Company K, Second Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Evans Blake, late of Forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John H. Maxwell, late of Company C, One hundred and sixty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Martin Randles, late of Company D, Fifty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John Crawford, late of Company D, One hundred and thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William Condo, late of Company I, Ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William P. Damon, late of Company B, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Henry D. Moulton, late of Company F, Seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Hiram E. Turner, late of Company H, Fifteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Jonas Bratton, late of Company B, Forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Marcellus Teeters, late of Company M, First Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Francis M. Belt, late of the Thirteenth Battery, Indiana Volunteer Light Artillery, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Sarah C. Haggard, widow of William Grant, alias William Grant Haggard, late of Company F, Twentieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of William Richardson, late of unattached Massachusetts Militia Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Albert Teets, late of Company C, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Andrew C. Patterson, late of Company D, One hundred and second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Charles N. Enrich, late of Company B, Purnell Legion, Maryland Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Francis M. Truax, late of Company E, Thirteenth Regiment Missouri Volunteer Infantry, and Company E, Twenty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John P. Bateman, late of Company E, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Valentine S. Brewer, late of Company D, Seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Joseph W. B. McClintock, late of Company A, Second Regiment Pennsylvania Provisional Volunteer Cavalry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Harrison Ruark, late of Company A, Forty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Robert A. Robinson, late of Company F, Eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The name of Abraham Mott, late of Company D, One hundred and thirty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George H. Young, late of Company K, Tenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Hanson Harmon, late of Company C, One hundred and fifty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Peter O. Gaynor, late of Battery D, First Wisconsin Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Edward McIntire, late of Company C, Fourth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of James Ross, late of Company F, Second Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Irwin Jordan, late of Company F, Forty-fifth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Richard G. Paynter, late of Company G, Ninth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joshua J. Workman, late of Company D, Ninth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John H. Swain, late of Company D, Ninth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John J. Morath, late of Company I, Seventieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James P. Leonard, late of Company H, Third Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Easter A. Cantrell, widow of Edward M. Cantrell, late of Company A, Forty-eighth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Abiather F. Crane, late of Company H, One hundred and forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Felix G. McGuire, late of Company A, Seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Charlotte Heald, former widow of Willard E. Converse, late of Company G, Thirty-eighth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Alonzo C. Horton, late of Company E, One hundred and thirty-seventh Regiment Ohio National Guard Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Ellen E. Greenfield, widow of William A. Greenfield, late of Company C, Twenty-ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$29 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of either or both of said minor children of said William A. Greenfield the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Ellen E. Greenfield the names of said Marguerite A. and Wilma A. Greenfield shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, from and after the date of the death of said Ellen E. Greenfield, as provided by the law under which now pensioned.

The name of Daniel Culver, late of the Fifth and Seventh Batteries, Indiana Volunteer Light Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John Jarrett, late of Company A, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jeremiah Hunt, late of Company G, Twenty-fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Stephen F. Easterling, late of Company D, Fortieth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William H. Coleman, late of Company G, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Amazo Hoard, late of Company A, Eleventh Regiment, and Company G, Eighth Regiment, Michigan Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James Walton, late of Company C, Tenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Eva Muller, widow of Peter Muller (alias Miller), late of Company H, First Regiment United States Reserve Corps, and pay her a pension at the rate of \$25 per month.

The name of Dr. William Warren, late of Company I, Fifteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Reuben T. Berry, late of Company M, Seventh Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Augustus C. Godfrey, late of Company B, Thirty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry Stone, late of Company I, Tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Calla R. Landsittel, former widow of George Long, late of Company A, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Presley Jackson, late of Company F, Fifty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George T. Constable, late of Company A, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lyman D. Cole, late of Company F, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George Snow, late of Company E, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of John H. Shaver, late of Company K, One hundred and sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Samuel Michael, late of Company F, One hundred and forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John S. Wray, late of Company E, One hundred and twenty-fifth Regiment, and Company A, Sixtieth Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of James A. Bateman, late of Company H, Eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Joseph Holmes, late of Company F, One hundred and thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Conrad Goodell, late of Company B, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of James McCammon, late of Company K, One hundred and forty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William D. McLaughlin, late of Company B, Thirty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of James A. Brown, late of Company L, Fifth Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Wayne F. Wieder, late of Company H, Third Pennsylvania Reserve Infantry, and Company B, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Edwin Rice, late of Company H, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Richard J. Gaskill, late of Company A, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of James W. Calkins, late of Company M, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Thomas Murphy, late of Company M, Twenty-sixth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary J. McGuire, widow of Columbus M. McGuire, late of Company H, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Amara J. Bachelder, late of Company I, Thirtieth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of John Marshall, late of Company E, Eighteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Wilson Risner, late of Companies I and B, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Andrew Van Steenberg, late of the United States Marine Corps, and pay him a pension at the rate of \$25 per month.

The name of James McCune, jr., late of Company G, Ninth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Zetta Swalls, helpless and dependent child of Eli Swalls, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Enos Day, late of Twentieth Battery, Indiana Volunteer Light Artillery, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Emma Swalls, helpless and dependent child of Eli Swalls, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of John McGill, late of Company A, Forty-fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William J. Vanhose, late of Company C, Forty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles Plummer, late of Company K, Twelfth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John Heblanthal, late of Company A, Thirteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Ida A. Miller, former widow of James E. Aughe, late of Company A, First Regiment Nebraska Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Jacob M. Evans, late of Company K, Fifty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James T. Peale, late of Fourth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Elizabeth A. Russell, widow of Henry C. Russell, late of the United States Navy, and pay her a pension at the rate of \$37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Henry C. Russell, jr., helpless and dependent child of said Henry C. Russell, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Elizabeth A. Russell, the name of said Henry C. Russell, jr., shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Elizabeth A. Russell.

The name of Timothy K. Davis, late of Company G, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. R. Snyder, late of Company F, Fourth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Nathan R. York, late of Company M, First Regiment Vermont Volunteer Heavy Artillery, and Company B, Sixth Veteran Reserve Corps, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Addison A. Eggleston, late of Company M, Eleventh Regiment, and Company C, Eighth Regiment, Michigan Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John K. Freeman, late of Company D, Twenty-seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John H. Carter, late of Company A, Third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Henry C. Hill, late of Company C, Fifty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Alpheus N. Barnhouse, late of Company I, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The name of Leverett C. Felch, late of Company B, Twenty-eighth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Almira York, widow of Augustus York, late of Companies B and D, Eleventh Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of William T. Kimbrel, late of Company C, Forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Oren Blain, late of Company B, Seventh Regiment California Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Augustus Brown, late of Company A, One hundred and thirtieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Thomas H. McKay, late of Company B, Forty-second Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Wilson Lord, late of Company F, One hundred and forty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Edgar P. Spooner, late of Company C, Ninth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Mary E. Livingston, widow of Sherman Livingston, late of Company C, Twentieth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Wellington Harder, late of Company B, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Eli Brainard, late of Company G, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George W. Smith, late of Company G, Second Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Washington Combs, late of Company M, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George Burks, late of Company C, Forty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of David H. York, late of Company C, Forty-seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Irvin Howard, late of Company F, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

This bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 796. Silas D. Taylor.	H. R. 9537. Sarah C. Haggard.
H. R. 1155. Joseph K. Dixon.	H. R. 9580. William Richardson.
H. R. 1332. Robert W. McWilliams.	H. R. 9618. Albert Teets.
H. R. 1387. James H. Bowman.	H. R. 9650. Andrew C. Patterson.
H. R. 2454. William H. Stephenson.	H. R. 9704. Charles N. Enrich.
H. R. 3321. Serelda Pargin.	H. R. 9814. Francis M. Truax.
H. R. 3492. George W. Conley.	H. R. 9924. John P. Bateman.
H. R. 3718. James West.	H. R. 9996. Valentine S. Brewer.
H. R. 3948. George Williams.	H. R. 10001. Joseph W. B. McClintock.
H. R. 4320. Fred Leick.	H. R. 10086. Harrison Ruark.
H. R. 5056. James Leming.	H. R. 10139. Robert A. Robinson.
H. R. 5229. George W. Adkins.	H. R. 10290. Abraham Mott.
H. R. 6374. Frederick Willman.	H. R. 10330. George H. Young.
H. R. 6379. John W. Amos.	H. R. 10356. Hanson Harmon.
H. R. 6380. Samuel Parker.	H. R. 10381. Peter O. Gaynor.
H. R. 6439. John W. Ramsen.	H. R. 10422. Edward McIntyre.
H. R. 6712. Charles W. Brace.	H. R. 10430. James Ross.
H. R. 6801. John Tuckerman.	H. R. 10454. Irwin Jordan.
H. R. 6941. Madison Ross.	H. R. 10503. Richard G. Paynter.
H. R. 7055. Charles H. Mosher.	H. R. 10512. Joshua J. Workman.
H. R. 7205. John G. Murray.	H. R. 10514. John H. Swain.
H. R. 7280. George B. Earll.	H. R. 10516. John J. Morath.
H. R. 7408. Enoch T. Leach.	H. R. 10518. James P. Leonard.
H. R. 7742. Edward Durbin.	H. R. 10580. Easter A. Cantrell.
H. R. 7743. Green P. Gray.	H. R. 10582. Abiather F. Crane.
H. R. 7951. Jacob Ripley, alias James Rogers.	H. R. 10618. Felix G. McGuire.
H. R. 8026. James Rutledge.	H. R. 10648. Charlotte Heald.
H. R. 8099. George Wilkins.	H. R. 10679. Alonzo C. Horton.
H. R. 8132. Othello A. Sherman.	H. R. 10682. Ellen E. Greenfield.
H. R. 8133. William S. Evans.	H. R. 10727. Daniel Culver.
H. R. 8193. William Rock.	H. R. 10760. John Jarrett.
H. R. 8260. Sarah E. Vining.	H. R. 10761. Jeremiah Hunt.
H. R. 8287. Alvin D. Lane.	H. R. 10764. Stephen F. Easterling.
H. R. 8313. Evans Blake.	H. R. 10813. William H. Coleman.
H. R. 8314. John H. Maxwell.	H. R. 10833. Amos Hoad.
H. R. 8370. Martin Randles.	H. R. 10859. James Walton.
H. R. 8731. John Crawford.	H. R. 10899. Eva Muller.
H. R. 9008. William Condo.	H. R. 10983. Doctor William Warren.
H. R. 9154. William P. Damon.	H. R. 10984. Reuben T. Berry.
H. R. 9191. Henry D. Moulton.	H. R. 10987. Augustus C. Godfrey.
H. R. 9270. Hiram E. Turner.	H. R. 10996. Henry Stone.
H. R. 9310. Jonas Bratton.	H. R. 11012. Calla R. Landsittel.
H. R. 9397. Marcellus Teeters.	H. R. 11025. Presley Jackson.
H. R. 9514. Francis M. Belt.	

H. R. 11027. George T. Constable.
 H. R. 11031. Lyman D. Cole.
 H. R. 11032. George Snow.
 H. R. 11039. John H. Shaver.
 H. R. 11066. Samuel Michael.
 H. R. 11067. John S. Wray.
 H. R. 11090. James A. Bateman.
 H. K. 11102. Joseph Holmes.
 H. R. 11103. Conrad Goodell.
 H. R. 11118. James McCammon.
 H. R. 11125. William D. McLaughlin.
 H. R. 11133. James A. Brown.
 H. R. 11142. Wayne F. Wiedner.
 H. R. 11144. Edwin Rice.
 H. R. 11145. Richard J. Gaskill.
 H. R. 11148. James W. Calkins.
 H. R. 11150. Thomas Murphy.
 H. R. 11155. Mary J. McGuire.
 H. R. 11157. Amara J. Bachelder.
 H. R. 11159. John Marshall.
 H. R. 11173. Wilson Risner.
 H. R. 11174. Andrew Van Steenburgh.
 H. R. 11178. James McCune, jr.
 H. R. 11179. Zetta Swalls.
 H. R. 11180. Enos Day.
 H. R. 11181. Emma Swalls.
 H. R. 11183. John McGill.
 H. R. 11192. William J. Vanhoese.

H. R. 11198. Charles Plummer.
 H. R. 11201. John Heblanthal.
 H. R. 11202. Ida A. Miller.
 H. R. 11203. Jacob M. Evans.
 H. R. 11212. James T. Peale.
 H. R. 11215. Elizabeth A. Russell.
 H. R. 11230. Timothy K. Davis.
 H. R. 11235. William H. R. Snyder.
 H. R. 11238. Nathan N. York.
 H. R. 11270. Addison A. Eggleston.
 H. R. 11275. John K. Freeman.
 H. R. 11299. John H. Carter.
 H. R. 11300. Henry C. Hill.
 H. R. 11311. Alpheus N. Barnhouse.
 H. R. 11312. Leverett C. Felch.
 H. R. 11314. Almira York.
 H. R. 11331. William T. Kimbrel.
 H. R. 11356. Oren Blain.
 H. R. 11357. Augustus Brown.
 H. R. 11387. Thomas H. McKay.
 H. R. 11395. Wilson Lord.
 H. R. 11413. Edgar P. Spooner.
 H. R. 11414. Mary E. Livingston.
 H. R. 11416. Wellington Harder.
 H. R. 11417. Eli Brainard.
 H. R. 11418. George W. Smith.
 H. R. 11602. Washington Combs.
 H. R. 11610. George Burks.
 H. R. 11611. David H. York.
 H. R. 11612. Irvin Howard.

During the reading of the bill,
 The Clerk read as follows:

The name of Frederick Willman, late of Company C, One hundred and thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. SHERWOOD. Mr. Speaker, I offer the following amendment: Page 3, line 18, substitute "\$30" for "\$30."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 18, strike out "\$30" and insert in lieu thereof "\$36."

The question was taken, and the amendment was agreed to.

Mr. HASTINGS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, to-day is set apart as Liberty Day, when thousands who have subscribed to the third liberty loan will march down historic Pennsylvania Avenue, calling the attention of our country to the necessity of supporting financially the prosecution of this world-wide war.

It is a great pleasure for me to be able to say that all the eight counties in the second congressional district of Oklahoma, which I have the honor to represent on this floor, have already "gone over the top." [Applause.] Some of them subscribed their full quota before nightfall on the first day the loan was offered, and all subscribed their full quota before the end of the first week.

I am sure this achievement should be given a place in the CONGRESSIONAL RECORD, and is an example worthy of emulation throughout the country. The people of Oklahoma can be depended upon under all circumstances to support their Government. [Applause.]

The Clerk read as follows:

The name of Doctor William Warren, late of Company I, Fifteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

Mr. RUSSELL. Mr. Speaker, I desire to offer an amendment. On page 15, in line 3, the name is incorrectly printed in the bill. It should be "Warner" instead of "Warren."

The SPEAKER pro tempore. Without objection, the amendment will be agreed to.

There was no objection.

Mr. STAFFORD. Will the gentleman from Missouri yield?

Mr. RUSSELL. I will.

Mr. STAFFORD. I notice in the name the gentleman is seeking to correct, the first word is "Doctor." I would like to inquire whether that is merely the title or his Christian name?

Mr. RUSSELL. It is not a professional title. It is the name of the party.

Mr. STAFFORD. I suppose his parents expected him to live up to his name, but he never got that far.

The Clerk concluded the reading of the bill.

Mr. SHERWOOD. Mr. Speaker, I move the previous question on the bill and all amendments thereto.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SHERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

REFERENCE OF BILL—MERCHANT-MARINE SERVICE.

Mr. SIMS. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. SIMS. Mr. Speaker, I ask unanimous consent to rerefer the bill H. R. 10782 from the Committee on Interstate and Foreign Commerce to the Committee on the Merchant Marine and Fisheries. The reference was clearly an inadvertence.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to rerefer the bill mentioned by him to the Committee on the Merchant Marine and Fisheries. Is there objection?

Mr. WALSH. Reserving the right to object, what is the bill about?

Mr. SIMS. The title of the bill is as follows:

To amend section 2 of an act entitled "An act to amend section 4131 of the Revised Statutes of the United States, to improve the merchant-marine service and thereby also to increase the efficiency of the Naval Reserve, and for other purposes," as amended by act approved October 22, 1914.

The Committee on Interstate and Foreign Commerce has no jurisdiction of it, and it is clearly entitled to be referred to the Committee on the Merchant Marine and Fisheries.

The SPEAKER pro tempore. Is there objection to the reference of the bill as indicated? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. SAUNDERS of Virginia. Mr. Speaker, I move that the House do now adjourn.

Mr. FESS. Will the gentleman reserve that for a minute?

Mr. STAFFORD. Mr. Speaker, I make the point of no quorum.

Mr. KEY of Ohio. Mr. Speaker, I have a small pension bill that I would like to get through.

The SPEAKER pro tempore. Does the gentleman insist on the point of order?

Mr. SAUNDERS of Virginia. Mr. Speaker, I insist on my motion to adjourn.

The SPEAKER pro tempore. The gentleman from Virginia moves that the House do now adjourn.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. WALSH. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 3, noes 43.

So the motion was rejected.

Mr. STAFFORD. Mr. Speaker, what becomes of my point of no quorum?

The SPEAKER pro tempore. The gentleman from Wisconsin makes the point of no quorum.

Mr. KEY of Ohio. Mr. Speaker, I would like to ask the gentleman from Wisconsin to withhold that.

Mr. STAFFORD. Mr. Speaker, I thought we had an understanding a few minutes ago that at the conclusion of the pension bill offered by the gentleman from Ohio [Mr. SHERWOOD] the House would adjourn.

Mr. KEY of Ohio. I would like to say to the gentleman from Wisconsin that this is pension day, and that the other committee has a small bill here that we would like to get through. Otherwise it would have to go over for two or three weeks. It will take only a few minutes to pass it.

Mr. STAFFORD. I withdraw the point of no quorum.

PENSIONS.

Mr. KEY of Ohio. Mr. Speaker, I desire to call up the bill H. R. 11658.

The SPEAKER pro tempore. The gentleman from Ohio calls up the bill H. R. 11658, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 11658) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Rufus F. Gibbs, late of Company I, Twenty-seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Milton K. Jenkinson, late of Company E, Second Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Henry J. Selders, late of Company G, Ninth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles W. Coleman, late of Ninth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Samuel M. Rogers, late of Company D, First Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George B. Bolender, late of Company B, Third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Ralph E. Evans, late of Company B, First Regiment Montana Volunteer Infantry, and Company H, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Augusta A. Richard, widow of Eugene B. Richard, late of Troop E, Third Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of \$25 per month, and \$2 per month additional on account of each of the five minor children of the said Eugene B. Richard until they reach the age of 16 years.

The name of Mary A. Bowen, widow of George W. Bowen, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Edward G. Daiton, late of Company K, Fifth Regiment Maryland Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Christopher C. Hamilton, late of Troop H, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Charles W. Gunter, late of Company G, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of William D. Patterson, late of Ordnance Department, United States Army, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of William H. Schucraft, late of Company M, Eighteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Theodore Hansen, late of Company H, Thirteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Georgia L. Swafford, widow of Claude C. Swafford, late of Company E, First Regiment South Dakota Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$25 per month and \$2 per month additional on account of the minor child, Mesta Swafford, of the said Claude C. Swafford, until she reaches the age of 16 years.

The name of John Ferriter, late of Battery H, Second Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of John McMahon, late of Company E, Twenty-fourth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Martha Ann Jones, widow of Washington Jones, late of Company G (Capt. Standefer's), Second Regiment Tennessee Volunteer Infantry, War with Mexico, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Benjamin L. Rutherford, late of Troop K, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Charles W. Wallace, late of Company D, Tenth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Sallie M. Cohen, widow of Henry Cohen, late of Capt. Moses Curry's and Capt. John F. Broer's companies Florida Mounted Volunteers, Seminole Indian War, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Wilbur S. Chapman, late of Company H, Third Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Backus Ledford, late of Company F, Fourteenth United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of John Hammons, late of Company C, Second West Virginia Volunteer Infantry, and Troop A, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James L. Stidham, late of Company I, Forty-fourth Regiment, United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Clarence L. Wimer, late of Company A, Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Franklin R. Albert, late of Company E, Fifth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Walter P. Norris, late of Company D, Fourth Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James B. Wilkinson, late of Troop H, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of James R. Milbee, late of Troop B, Eighth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Frank Watzek, late of Company C, Fourth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Edward D. Boothby, late of Troop C, Twelfth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of George M. Woodard, late of Company H, One hundred and fifty-seventh Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Sarah Crawford, widow of Gallant Crawford, late of Capt. Love's company, Georgia Volunteers, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Elizabeth E. Roberts, widow of Stephen D. Roberts, late of Capt. Bobo's company, Georgia Volunteers, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Louisa F. Echols, widow of Richard Echols, late of Capt. Townsend's company, Georgia Volunteers, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Harriet Gray, widow of Ephraim G. Gray, late of Troop K, Sixth Regiment United States Cavalry, Regular Establishment, and Company G, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$25 per month and \$2 per month additional on account of each of the four minor children of the said Ephraim G. Gray, until they reach the age of 16 years.

The name of John W. Hamilton, late of Company B, Second Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Ellen A. Cardenas, dependent mother of Phillip Cardenas, late of Company C, Fifth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$20 per month.

The name of George E. Lawrence, late captain, Signal Corps, United States Army, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of George Wegner, late of Company A, First Regiment North Dakota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Edward L. Dodd, late of Company A, One hundred and fifty-ninth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles E. Ingels, late of Company D, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Marshall F. Truax, late of Company C, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Sarah A. Anthony, widow of Frank Anthony, late major and surgeon, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$25 per month.

The name of Carey Nation, late of Company H, Seventh Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James L. Wolleat, late of Company B, Twelfth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mary Lee Jeter, widow of Richard C. Jeter, late chaplain, First Infantry Regiment South Carolina National Guard, Mexican Border, and pay her a pension at the rate of \$25 per month.

The name of Mary Cavanagh, widow of William Cavanagh, late of Company E, Third Regiment United States Infantry, Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Susan E. Bell, widow of Silas Bell, late of Capt. Grant's company, Georgia Volunteers, Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Wesley O. Staver, late of Company G, Third Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Emanuel Rickman, late of Company D, First Regiment South Dakota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Emma J. Flanagan, widow of Stephen J. Flanagan, late of Capt. Byrum's company, Alabama Volunteers, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Freda Burrow, widow of William M. Burrow, late of Company I, Sixteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$25 per month.

The name of James Green, late of the Thirty-first Company United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Mary Wilbanks, widow of Quincy A. Wilbanks, late of Company H, Third Regiment Illinois Volunteer Infantry, War with Mexico, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Elwood C. Finney, late of Company K, First Territorial Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Henry C. Clausen, late of Company B, Fourth Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles W. Hanson, late of Company D, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Laura A. Davis, widow of John F. Davis, late of Company H, Second Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$25 per month.

The name of Margaret A. McAdoo, widow of Austin McAdoo, late of Company B, Second Regiment Tennessee Volunteer Infantry, War with Mexico, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Oliver P. Jackson, late of Company K, Fifth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Emily A. Ballard, widow of Joseph M. Ballard, late captain Company E, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$25 per month.

The name of Lauren W. Case, late of Battery F, Second Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Charles C. Cooper, late of Company C, Twelfth Regiment Pennsylvania Volunteer Infantry, and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Nellie G. Carr, widow of John H. Carr, late of Company H, Fifth Regiment Tennessee Volunteer Infantry, War with Mexico, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Frank Thompson, late of Company A, Twenty-second Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Nancy Wood, widow of Uriah Wood, late of Capt. McClellan's company, Tennessee Mounted Volunteers, Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Hans Fulson, late of Company K, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of James Gould, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Eugene B. Justice, late of Company K, Fifty-second Regiment Iowa Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William E. Martin, late of Troop D, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Elmer D. Hopper, late of Company M, Eleventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Elba A. Love, late of Company A, Sixth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Mary F. Kenaday, widow of Elias J. Kenaday, late of Capt. Morgan's company, Iowa Mounted Volunteers, War with Mexico, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Mary C. Shell, dependent mother of Willis A. Shell, late of Company M, Thirtieth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John M. Hall, late of Company H, Sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Dallas Mills, late of Company D, Forty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Fred G. Pettigrew, late of Company G, Thirteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of George Joseph, late of Company E, Eighth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Emma S. Phelps, widow of Walter S. Phelps, late of Company C, Battalion New Jersey Volunteers, War with Mexico, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Fred J. Luepke, late of the United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of \$24 per month.

The name of Volney A. Parmer, late of Company M, Sixth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William P. Williams, late of the United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Frank A. Smith, late of Company M, Fifth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Jeannie Burton, widow of Ambrose Burton, late of Troop I, First Regiment Kentucky Volunteer Cavalry, War with Mexico, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John M. Curtis, late captain of Company E, First Regiment Delaware Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Amanda Foster, widow of William Foster, late of Company E, District of Columbia and Maryland Volunteers, War with Mexico, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Arthur E. Garland, late of Company C, Sixth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William D. Harris, late of Troop I, Eighth Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Daniel Johnson, late of One hundred and thirteenth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Rebecca M. Bearden, widow of John M. Bearden, late of Capt. Tipp's company, Tennessee Volunteers, Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Albert Krick, late of Company C, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Alvin R. Scott, late of Company G, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Kate Watson, widow of James E. Watson, late of Company D, Second Regiment Massachusetts Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$25 per month, and \$2 per month additional on account of each of the two minor children of the said James E. Watson, until they reach the age of 16 years.

This bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 551. Rufus F. Gibbs.	H. R. 2193. Charles W. Gunter.
H. R. 702. Martin K. Jenkinson.	H. R. 2220. William D. Patterson.
H. R. 724. Henry J. Selders.	H. R. 2458. William H. Schucraft.
H. R. 747. Charles W. Coleman.	H. R. 2473. Theodore Hansen.
H. R. 1245. Samuel M. Rogers.	H. R. 2475. Georgia L. Swafford.
H. R. 1814. George B. Bolender.	H. R. 2863. John Ferriter.
H. R. 1924. Ralph E. Evans.	H. R. 3260. John McMahon.
H. R. 1950. Augusta A. Richard.	H. R. 3456. Martha Ann Jones.
H. R. 1960. Mary A. Bowen.	H. R. 3475. Benjamin L. Rutherford.
H. R. 2032. Edward G. Dalton.	H. R. 3791. Charles W. Wallace.
H. R. 2192. Christopher C. Hamilton.	H. R. 3946. Sallie M. Cohen.

H. R. 4016. Wilbur S. Chapman.	H. R. 7670. Charles W. Hanson.
H. R. 4111. Backus Ledford.	H. R. 7791. Laura A. Davis.
H. R. 4419. John Hammons.	H. R. 7942. Margaret A. McAdoo.
H. R. 4552. James L. Stilham.	H. R. 8039. Oliver P. Jackson.
H. R. 4669. Clarence L. Wimer.	H. R. 8061. Emily A. Ballard.
H. R. 4747. Franklin R. Albert.	H. R. 8095. Lauren W. Case.
H. R. 4752. Walter P. Norris.	H. R. 8181. Charles C. Cooper.
H. R. 4800. James B. Wilkinson.	H. R. 8251. Nellie G. Carr.
H. R. 4865. James R. Milbee.	H. R. 8468. Frank Thompson.
H. R. 4899. Frank Watzek.	H. R. 8477. Nancy Wood.
H. R. 5040. Edward B. Boothby.	H. R. 8797. Hans Fulson.
H. R. 5144. George M. Woodard.	H. R. 9062. James Gould.
H. R. 5153. Sarah Crawford.	H. R. 9081. Eugene B. Justice.
H. R. 5154. Elizabeth E. Roberts.	H. R. 9142. William E. Martin.
H. R. 5156. Louisa F. Echols.	H. R. 9521. Elmer D. Hopper.
H. R. 5246. Harriet Gray.	H. R. 9525. Elba A. Love.
H. R. 5390. John W. Hamilton.	H. R. 9536. Mary F. Kenaday.
H. R. 6099. Ellen A. Cardenas.	H. R. 9582. Mary C. Shell.
H. R. 6104. George E. Lawrence.	H. R. 9667. John M. Hall.
H. R. 6436. George Wegner.	H. R. 9738. Dallas Mills.
H. R. 6560. Edward L. Dodd.	H. R. 9894. Fred G. Pettigrew.
H. R. 6576. Charles E. Ingles.	H. R. 9914. George Joseph.
H. R. 6728. Marshall F. Truax.	H. R. 10012. Emma S. Phelps.
H. R. 6747. Sarah A. Anthony.	H. R. 10208. Fred J. Luepke.
H. R. 6750. Carey Nation.	H. R. 10224. Volney A. Parmer.
H. R. 6870. James L. Wolleat.	H. R. 10287. William P. Williams.
H. R. 6896. Mary Lee Jeter.	H. R. 10301. Frank A. Smith.
H. R. 6910. Mary Cavanagh.	H. R. 10387. Jeannie Burton.
H. R. 6931. Susan Bell.	H. R. 10392. John M. Curtis.
H. R. 6950. Wesley O. Staver.	H. R. 10410. Amanda Foster.
H. R. 7095. Emanuel Rickman.	H. R. 10419. Arthur E. Garland.
H. R. 7098. Emma J. Flanagan.	H. R. 10427. William D. Harris.
H. R. 7163. Freda Burrow.	H. R. 10562. Daniel Johnson.
H. R. 7245. James Green.	H. R. 10579. Rebecca M. Bearden.
H. R. 7257. Mary Wilbanks.	H. R. 10710. Albert Krick.
H. R. 7294. Elwood C. Finney.	H. R. 10780. Alvin R. Scott.
H. R. 7424. Henry C. Clausen.	H. R. 10991. Kate Watson.

Mr. KEY of Ohio. Mr. Speaker, a dollar mark is missing in the printed copy on line 1 of page 11 before the figures "25." I ask unanimous consent that it be supplied by the Clerk.

The SPEAKER pro tempore. Without objection, the correction will be made.

There was no objection.

Mr. KEY of Ohio. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RESIGNATION FROM A COMMITTEE.

The SPEAKER pro tempore. The Chair lays before the House the following communication, which the Clerk will report.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C.

Hon. CHAM CLARK,
Speaker of the House.

MY DEAR SIR: I hereby tender my resignation as a member of the Foreign Affairs Committee.

Very truly,

S. D. FESS.

APRIL 26, 1918.

EXTENSION OF REMARKS.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend my remarks on the mining bill.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks on the mining bill. Is there objection?

There was no objection.

Mr. HEFLIN. Mr. Speaker, I ask unanimous consent to extend my remarks on American shipping and the pneumatic-tube service.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to extend his remarks on American shipping and the pneumatic-tube service. Is there objection?

Mr. MADDEN. Reserving the right to object, I would like to know what connection there is between American shipping and the pneumatic-tube service?

Mr. HEFLIN. I mean those are the two subjects I want to touch on in extending my remarks.

Mr. WALSH. Reserving the right to object, Mr. Speaker, are they the gentleman's own remarks?

Mr. HEFLIN. Yes.

Mr. WALSH. I do not object to this request, but I was in hopes that somebody might get up before we adjourned and ask unanimous consent to extend their remarks in the RECORD by bursting into song. [Laughter.] We have had all other kinds of requests for extensions of remarks. I want to warn the House that I am going on the rampage again on this subject. [Laughter.]

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. SAUNDERS of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned until to-morrow, Saturday, April 27, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LANGLEY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 6421) to increase the pensions of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States, reported the same without amendment, accompanied by a report (No. 521), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 7985) for the relief of J. Ph. Binzel Co., reported the same without amendment, accompanied by a report (No. 520), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEENERSON: A bill (H. R. 11709) granting the consent of Congress to the village and township of Halstad, Norman County, Minn., and the township of Herberg, Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States; to the Committee on Interstate and Foreign Commerce.

By Mr. BARKLEY: A bill (H. R. 11710) to provide further for the national security and defense and to sustain the Army and Navy during the war by preventing the waste of food, fuel, and man power by the beverage liquor traffic; to the Committee on the Judiciary.

By Mr. DILL: A bill (H. R. 11711) to cancel the allotment of Davie Skootah on the Lummi Reservation, Wash., and reallocate the lands included therein; to the Committee on Indian Affairs.

By Mr. STEENERSON: A bill (H. R. 11712) to create a Federal grain standards board, and for other purposes; to the Committee on Agriculture.

By Mr. TAYLOR of Colorado: A bill (H. R. 11713) to add certain lands to the national forests in the State of Colorado; to the Committee on the Public Lands.

By Mr. HAYDEN: A bill (H. R. 11714) extending the relief of Indians occupying railroad lands in Arizona, New Mexico, and California; to the Committee on Indian Affairs.

By Mr. CARAWAY: A bill (H. R. 11715) to authorize the drainage of certain lands in the State of Arkansas, counties of Mississippi and Poinsett; to the Committee on the Public Lands.

By Mr. CANTRILL: Resolution (H. Res. 325) authorizing the payment of \$1,200 to G. D. Ellis for extra and expert services rendered in the office of the Clerk of the House of Representatives during the first and second sessions of the Sixty-fifth Congress; to the Committee on Accounts.

By Mr. EDMONDS: Resolution (H. Res. 326) providing for printing as a House document publication of the Public Health Service entitled "Prevention of Disease and Care of Sick," with supplement on "First Aid to the Injured"; to the Committee on Printing.

By the SPEAKER (by request): Memorial from the Legislature of the State of New York, favoring a league of nations to safeguard the peace of all nations; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DENTON: A bill (H. R. 11716) granting a pension to Catherine Conn; to the Committee on Invalid Pensions.

By Mr. DEWALT: A bill (H. R. 11717) granting a pension to Kathryn Lusch; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 11718) granting an increase of pension to George S. Taylor; to the Committee on Invalid Pensions.

By Mr. DUNN: A bill (H. R. 11719) granting a pension to Susan B. Churchill; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 11720) granting an increase of pension to Samuel P. Ledgerwood; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 11721) granting a pension to Harriet Dutton; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 11722) granting a pension to Mary S. Runion; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 11723) to reinstate Cecil Floyd Charlton as a passed assistant surgeon in the United States Navy; to the Committee on Naval Affairs.

By Mr. HELVERING: A bill (H. R. 11724) granting an increase of pension to Charles Schiller; to the Committee on Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 11725) granting an increase of pension to Daniel B. Reddecks; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 11726) granting a pension to Benjamin Franklin Brown; to the Committee on Pensions.

Also, a bill (H. R. 11727) granting a pension to Simon P. Parrish; to the Committee on Pensions.

Also, a bill (H. R. 11728) granting an increase of pension to William S. Strode; to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 11729) for the relief of Martin L. Cuppels; to the Committee on Military Affairs.

By Mr. ROWE: A bill (H. R. 11730) granting an increase of pension to Thomas D. O'Shea; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 11731) granting an increase of pension to William H. Steel; to the Committee on Invalid Pensions.

By Mr. STEAGALL: A bill (H. R. 11732) granting an increase of pension to Samuel Davis; to the Committee on Invalid Pensions.

By Mr. SWIFT: A bill (H. R. 11733) for the relief of the heirs of Robert M. Seward; to the Committee on Claims.

Also, a bill (H. R. 11734) granting a pension to Rose Vollkommer; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 11735) granting an increase of pension to Albert M. Lull; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Good Hope Farm Club, Gerald, Mo., for the relief of farmers in general and especially those of Missouri; to the Committee on Agriculture.

By Mr. DALE of New York: Petitions urging the repeal of the second-class postage rider to the war-revenue act by L. Ezekiel, the Woman's Forum, the New York Medical Journal, E. J. Elder, and M. Buesing; to the Committee on Ways and Means.

Also, memorial of the Building Trades Department, American Federation of Labor, urging the passage of House bill 6107; to the Committee on Interstate and Foreign Commerce.

By Mr. DILL: Petition of Mrs. D. L. Davis and other ladies of Spokane, Wash., urging that there be no further wastage of man power, food, fuel, and efficiency by the further manufacture of alcoholic liquors and asking for nation-wide prohibition; to the Committee on the Judiciary.

By Mr. DOOLING: Memorial of the Merchants' Association of New York, favoring the Owen-Dyer bill, equalizing the rank of Army medical officers with that of the Navy; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Petitions of the Rockford (Ill.) Manufacturers' and Shippers' Association and of the Edward Hines Lumber Co., Chicago, Ill., for legislation to permit the payment of income and excess-profits taxes in installments; to the Committee on Ways and Means.

By Mr. IGOE: Petition of Lithuanian National Council, of St. Louis, concerning the independence of Lithuania; also a petition of certain citizens of St. Louis, on the partition of Poland and the settlement of the Polish question; to the Committee on Foreign Affairs.

By Mr. SCHALL: Petition of Mr. C. L. Williams and 114 other citizens of Kanabec County, Minn., favoring the transfer of jurisdiction of persons charged with violation of the espionage act from civil to military courts; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of Chippewa Indians of Minnesota, protesting against the enactment of House bill 8850, for the relief of Ben Fairbanks and others; to the Committee on Indian Affairs.

By Mr. SWIFT: Affidavits to accompany House bill 8623; to the Committee on Claims.